



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.03.2022

WEB COPY

CORAM:

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.P.No.5140 of 2022

Bongarala Chandravathi

... Petitioner

Vs

1. The Sub Divisional Magistrate - cum -
Regional Administrator
Yanam - 533464, Puducherry (UT)

2. The Superintendent of Police,
Yanam - 533 464
Puducherry (UT).

3. Bongarala Venkata Kedharnadh

4. Bongarala Radha Kumari

5. Bongarala Mouli Mohan

... Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus directing 1st respondent to conduct enquiry and pass orders over the application dated 03.08.2021 submitted by the petitioner under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 and further direct the 2nd respondent to take appropriate action as contemplated under Rule 20 of the Pondicherry Maintenance and Welfare of Parents and Senior Citizens Rules, 2011 within the time frame.

For Petitioner : Mr.R.Thiyaga

For Respondents : Mr.C.T.Ramesh
Additional Government Pleader (P)
- R1 & R2

O R D E R

Mr.C.T.Ramesh, learned Additional Government Pleader accepts notice for R1 and R2. In view of the nature of order that is passed in the paragraphs to follow, no notice is thought necessary to R3 to R5 at this juncture. By consent of learned counsel for the petitioner and learned Standing Counsel for R1



and R2, this Writ Petition is taken up for final disposal even at the stage of admission.

2. The petitioner prays for disposal of application dated 03.08.2021 filed under Section 4 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007.

3. The petitioner is aged 78 years presently. Mr.Ramesh has neither an answer nor any defence to the query why the application has been kept pending even beyond the statutory period set out for disposal of such application, which is 90 days with a additional 30 days thereafter, except to state that the matter now stands at the stage of receiving reports from the lower authorities. The delay on the part of the respondents and their unexplained lethargy is breaching the statutory time limit as above, is depreciated.

4. Let copies of the report be supplied to the parties, i.,e the petitioner, as well as the private respondents, arrayed as R3 to R5. R1 shall pass an order disposing the application of the petitioner dated 03.08.2021 after hearing the parties, within a period of six (6) weeks from today. The time line as set out above shall be adhered to strictly.

5. The Writ Petition stands disposed as above. No costs.

Sd/-

Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

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To

1. The Sub Divisional Magistrate - cum -
Regional Administrator
Yanam - 533464, Puducherry (UT)

2. The Superintendent of Police,
Yanam - 533 464, Puducherry (UT).

+1cc to Mr.B.Bala Vijayan, Advocate, S.R.No.15927

+1cc to the Government Pleader, S.R.No.15297

W.P.No.5140 of 2022

BR(CO)
SU(06/04/2022)