



WEB COPY



W.P.No.8188 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.07.2022

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.8188 of 2021

Dr.M.Krishnamurthy

... Petitioner

Vs

1. The Revenue Divisional Officer,
Office of the Revenue Divisional Office,
North Chennai Revenue Division,
Chennai – 600 081.

2. M.K.Venkat Prasad

.. Respondents

Petition filed under Article 226 of the Constitution of India praying to issue Writ of Mandamus directing the first respondent to conduct further enquiry in pursuance of his communication in A4/2648/2020 dated 19.12.2020 to make submissions of the petitioner.

For Petitioner : Mr.M.Raja Sekhar

For Respondents : Mr.T.Seenivasan
Spl.Govt. Pleader
For R.1
Mr.P.S.Basker
For R.2

ORDER



W.P.No.8188 of 2021

WEB COURT

This writ petition has been filed for a Mandamus seeking for a direction to the first respondent to act upon the representation given by the petitioner requesting the first respondent to take action against the second respondent as per the provisions of Maintenance and Welfare of Parents and Senior Citizens Act, 2007.

2. The petitioner is the father and the second respondent is the son. The petitioner has a grievance against the second respondent and has given a representation on 15.10.2020. According to the petitioner, despite the communication of the first respondent dated 19.12.2020, who has acted upon the petitioner's representation, till now no final order has been passed and in such circumstances, the petitioner has filed this writ petition.

3. Heard learned counsel for the petitioner and learned Special Government Pleader appearing for the first respondent.

4. It is not in dispute that the second respondent is the son of the petitioner. The petitioner has given a representation on 15.10.2020 to the first respondent calling upon him to take action against the second respondent. The



W.P.No.8188 of 2021

said representation is also enclosed along with this writ petition.

WEB COPY

5. No prejudice would be caused to the respondents if the petitioner's representation is considered on merits and in accordance with law after affording a fair hearing to the petitioner and the second respondent.

6. For the foregoing reasons, this Court directs the first respondent to pass final order in the proceedings already initiated by the first respondent on 19.12.2020 based on the petitioner's representation dated 15.10.2020 calling upon the first respondent to take action against the second respondent within a period of twelve weeks from the date of receipt of a copy of this order after affording a fair hearing to the petitioner and the second respondent including granting them the right of personal hearing.

7. With the aforesaid direction, the writ petition is disposed of. No costs.

06.07.2022

sr
Index: Yes/No
Speaking Order/Non-Speaking Order

ABDUL QUDDHOSE, J.

3/4



WEB COPY



W.P.No.8188 of 2021

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The Revenue Divisional Officer,
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W.P.No.8188 of 2021

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