



W.P.No.30775 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.11.2022

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

Writ Petition No.30775 of 2022

K.Chandran

.... Petitioner

-Vs-

1.The District Collector
Salem.

2.The Superintendent of Police
Salem.

3.C.Rajmohan

4.R.Thangamalar

.... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to consider the representation dated 27.05.2022 within a time frame as may be fixed by this Hon'ble Court.

For Petitioner : Mr.T.Shanmugam

For Respondents : Mr.T.K.Saravanan, Government Advocate
-for R1
Mr.R.Kumaravel Additional Govt.Pleader
-for R2

ORDER



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The prayer sought for herein is for a Writ of Mandamus directing the respondents to consider the representation dated 27.05.2022 within a time frame as may be fixed by this Court.

2. The petitioner is a senior citizen. He made a complaint under Section 4 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 (In short 'the Act') to the first respondent District Collector making a complaint against the respondents 3 and 4 herein, who are the son and daughter-in-law of the petitioner that the private respondents have taken the documents pertaining to the immovable property of the petitioner and left the petitioner in lurch without giving any support to him. In order to enquire the matter and to take a decision under the provisions of the Act, the petitioner gave a complaint to the first respondent and the same since has not been considered so far and no decision has been taken by the first respondent, the petitioner has moved the present writ petition.

3. Heard Mr.T.Shanmugam learned counsel for the petitioner, who after having reiterated the aforesaid facts, would seek the indulgence of this Court.

4. In view of the order that is going to be passed, notice to the private



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respondents 3 and 4 is hereby dispensed with.

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5. Heard Mr.T.K.Saravanan, learned Government Advocate for the first respondent and Mr.R.Kumaravel, learned Additional Government Pleader for the second respondent.

6. Learned Government Counsel would submit that if the complaint under Section 4 of the Act is not disposed of so far, that would be considered and decided on merits and in accordance with law after hearing both the parties within the time limit that may be stipulated by this Court.

7. In view of the aforesaid submissions, having regard to the facts and circumstances of the case, this Court is inclined to dispose of this writ petition with the following order.

“That there shall be a direction to the first respondent to consider the complaint given by the petitioner dated 27.05.2022 and decide the same on merits and in accordance with law after giving an opportunity of being heard to the petitioner and the private respondents 3 and 4 herein, within a period of six weeks from the date of receipt of a copy of this order.”

R. SURESH KUMAR, J.

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8. With the above directions, this writ petition is disposed of. No costs.

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Index : Yes/No
Internet : Yes/No
KST
To

- 1.The District Collector
Salem.
- 2.The Superintendent of Police
Salem.

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