



W.P.No.30613 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.11.2022

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

Writ Petition No.30613 of 2022

D.Devarajan

.... Petitioner

-Vs-

1.The District Collector
O/o Collectorate Office
Villupuram District.

2.The Sub Collector / Revenue Divisional
Officer, Gingee, Tindivanam,
Villupuram District.

3.The Tahsildar
Gingee Taluk
Villupuram District.

4.The Sub Registrar
O/o The Sub Registrar Office
Gingee, Villupuram District.

5.Smt.Shantha

6.Thiru.Balamurugan

7.Smt.Adhilakshmi

8.Smt.Prabhavathy

9.Thiru.Deivasigamani

.... Respondents



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Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents 1 to 4 to consider the petitioner's application dated 29.08.2022 under Section 23 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 in accordance with law and within a stipulated period of time.

For Petitioner : Mr.A.Rajeshkanna

For Respondents : Mr.T.K.Saravanan,
Government Advocate – for RR 1 to 3
Mr.R.Kumaravel
Additional Government Pleader – for R4
RR 5 to 9 – Notice dispensed with

ORDER

The prayer sought for herein is for a Writ of Mandamus directing the respondents 1 to 4 to consider the petitioner's application dated 29.08.2022 under Section 23 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 in accordance with law and within a stipulated period of time.

2. The petitioner being a senior citizen claims that the private respondents herein who are the wife and children of the petitioner have abandoned the petitioner and he has not been taken care of by the family members. Therefore, in order to protect his interest, the petitioner has filed a complaint / petition under Section 23 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 before the second respondent on 29.08.2022.



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3. The said application / complaint since has not been decided so far and it has been kept pending at the second respondent office, in order to consider the same and pass orders after hearing the petitioner as well as the private respondents within a time frame that may be stipulated by this Court, the petitioner has moved the present writ petition.

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

5. Heard Mr.T.K.Saravanan, learned Government Advocate appearing for respondents 1 to 3 and Mr.R.Kumaravel, learned Additional Government Pleader appearing for the 4th respondent. In view of the order that is going to be passed in this writ petition, notice to the private respondents 5 to 9 is dispensed with.

6. Since the petitioner is a senior citizen and he makes a claim that he has been abandoned by all the family members who are private respondents in this writ petition, in order to redress his grievance since he has approached the second respondent under the provisions of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, this Court feels that a direction can be given to the second respondent to decide the application at the earliest on merits and in accordance with law.



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7. In that view of the matter, this Court is inclined to dispose of this writ petition with the following order.

“That there shall be a direction to the second respondent to decide the application / complaint made by the petitioner dated 29.08.2022, and pass orders on merits and in accordance with law of course after hearing both the petitioner as well as the private respondents herein within a period of six weeks from the date of receipt of a copy of this order.”

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

17.11.2022

Index : Yes/No

Internet : Yes/No

KST

Note : Issue order copy on Monday (21.11.2022)



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To

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Villupuram District.
- 3.The Tahsildar
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- 4.The Sub Registrar
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R. SURESH KUMAR, J.

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