



WEB COPY



W.P.No.32064 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.11.2022

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P.No.32064 of 2022

N.Kanagamani

... Petitioner

Vs

1.The District Collector,
(Senior Citizen and Maintenance Welfare
Appellate Tribunal)
Coimbatore, Coimbatore District.

2.The Revenue Divisional Officer,
(Senior Citizen and Maintenance
Welfare Tribunal),
Coimbatore North, Coimbatore District.

3.N.Krishnakumar

4.R.Narayanasamy

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the 1st respondent to dispose off the Appeal dated 14.07.2022 filed by the petitioner under Section 16 of The Maintenance and Welfare of Parents and Senior Citizen Act, 2007.

For Petitioner : Mr.K.Myilsamy

For Respondents : Mr.P.Ganesan

Additional Government Pleader
for R1 & R2

For R3 & R4 : Notice dispensed with



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ORDER

The prayer sought for herein is for a writ of mandamus directing the 1st respondent to dispose off the Appeal dated 14.07.2022 filed by the petitioner under Section 16 of The Maintenance and Welfare of Parents and Senior Citizens Act, 2007.

2. The petitioner is a senior citizen. She approached the 2nd respondent under Section 23 of the The Maintenance and Welfare of Parents and Senior Citizens Act for redressal of her grievances.

3. The said application submitted by the petitioner was rejected by the 2nd respondent on 01.06.2022. As against the order, the petitioner preferred appeal under Section 16 of the said Act viz., The Maintenance and Welfare of Parents and Senior Citizens Act, 2007 (in short 'the Act') before the 1st respondent who is the Appellate Authority on 14.07.2022 against the private respondents viz., R3 and R4. However, the said appeal since has not so far been decided, she has approached this Court seeking the aforesaid prayer.

4. Heard Mr.K.Myilsamy, learned counsel appearing for the petitioner



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who having reiterated the aforesaid would seek indulgence of this Court to issue a direction to the 1st respondent to decide the appeal on merits at the earliest.

5. Heard Mr.P.Ganesan, learned Additional Government Pleader appearing for respondents 1 and 2 who would submit that, the appeal would be decided on merits after hearing both the petitioner as well as the private respondents within a time frame that may be stipulated by this Court.

6. In view of the order going to be passed in this writ petition, notice to the respondents 3 and 4 is hereby dispensed with.

7. Having regard to the said submissions made by the learned counsel for both sides and taking into account of the innocuous nature of the prayer sought for in this writ petition, this Court is inclined to dispose of this writ petition with the following orders:

That there shall be a direction to the 1st respondent to decide the appeal filed by the petitioner dated 14.07.2022 on merits and in accordance with law after giving proper



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opportunity of being heard to both the petitioner as well as the private respondents i.e. R3 and R4 within a period of six weeks from the date of receipt of a copy of this order.

8. With this direction, this Writ Petition is disposed of. No costs.

30.11.2022

Sgl

To

- 1.The District Collector,
(Senior Citizen and Maintenance Welfare
Appellate Tribunal)
Coimbatore, Coimbatore District.
- 2.The Revenue Divisional Officer,
(Senior Citizen and Maintenance
Welfare Tribunal),
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R. SURESH KUMAR, J.

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