



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.12.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

WP(MD)No.18102 of 2022 & CONT P(MD)No.1661 of 2022
and
W.M.P.(MD)Nos.13199 to 13201 of 2022

WP(MD)No.18102 of 2022 : -

Kaliyaperumal

... Petitioner

v.

1.The District Revenue Officer,
Pudukkottai, Pudukkottai District.

2.The Revenue Divisional Officer
cum the President,
Tribunal for the Maintenance and
Welfare of Parents and Senior
Citizens Act, 2007,
Pudukkottai, Pudukkottai District.

3.Banumathi

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for the records relating to the impugned order by the second respondent in Moo.Mu.A6/4740/2020 dated 29.05.2022 and quash the same and consequently direct the first and second respondents to ensure re-possession of the petitioner in the petitioner's house at Door No.160, Yathavar Street, Kantharva Pudukkottai District.



CONT P(MD)No.1661 of 2022 : -

Kaliyaperumal

... Petitioner

v.

1.Ms.Selvi,
The District Revenue Officer,
Pudukkottai, Pudukkottai District.

2.Mr.Murugesan,
The Revenue Divisional Officer cum the President,
Tribunal for the Maintenance and
Welfare of Parents and Senior
Citizens Act, 2007,
Pudukkottai, Pudukkottai District.

3.Banumathi

... Respondents/Contemnors

Prayer : Contempt petition filed under Section 11 of the Contempt of Courts Act, 1971 to punish the respondents for their willful disobedience of the order of this Court in WMP(MD)No.13201 of 2022 in WP(MD)No.18102 of 2022.

in both cases : -

For Petitioner : Mr.R.Jegadeeswaran

For Respondents : Mr.M.Sidhardhan
Additional Government Pleader for R1

Mrs.A.Banumathi for R3



COMMON ORDER

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The petitioner is a senior citizen. He moved the maintenance tribunal for re-possession of his house from his daughter-in-law. His petition was rejected vide order dated 29.05.2022. The petitioner is very much having an effective alternative remedy of appeal under Section 16 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007. The petitioner is permitted to move the District Collector under the aforesaid provision. If such a petition is filed, the same will be disposed of on merits and in accordance with law within a period of sixty days thereafter.

2. With this direction to the District Collector, Pudukkottai, this writ petition is disposed of. I make it clear that I have not gone into the merits of the matter. It is open to him to pass orders one way or the other. In view of the disposal of the main writ petition, no further orders are necessary in the contempt petition filed by the petitioner. No costs. Connected miscellaneous petitions are closed.

14.12.2022

Index : Yes / No
Internet : Yes/ No
skm



Issue order copy on 15.12.2022.

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- To
- 1.The District Revenue Officer,
Pudukkottai, Pudukkottai District.
 - 2.The Revenue Divisional Officer
cum the President,
Tribunal for the Maintenance and
Welfare of Parents and Senior
Citizens Act, 2007,
Pudukkottai, Pudukkottai District.



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G.R.SWAMINATHAN, J.

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**WP(MD)No.18102 of 2022 &
CONT P(MD)No.1661 of 2022**

14.12.2022