



W.P.(MD)No.24524 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 28.10.2022

CORAM

THE HONOURABLE Mrs.JUSTICE V.BHAVANI SUBBAROYAN

Writ Petition (MD) No.24524 of 2022

Subbulakshmi

... Petitioner

Versus

The Sub Collector cum
Revenue Divisional Officer,
Sub Collector Office,
Cheran Mahadevi,
Tirunelveli District.

... Respondent

Prayer: Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the respondent to dispose of the application dated 26.07.2022 filed by the petitioner under Maintenance and Welfare of Parents and Senior Citizens Act, 2005.

For Petitioner	:	Mr.A.Srinivasan
For Respondent	:	Mr.D.Gandhiraj Special Government Pleader

ORDER

This petition has been filed by the petitioner seeking for issuance of a Writ of Mandamus, to direct the respondent to dispose of the application, dated 26.07.2022 filed by the petitioner under Maintenance and Welfare of Parents and Senior Citizens Act, 2005.



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WEB COPY 2. By consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

3. Heard the learned counsel appearing on either side.

4. It is the contention of the petitioner that the petitioner is aged about 79 years and she has no children. Her husband also died in the year 2013. The petitioner has four sisters and one brother. Since the petitioner has no children, the husband of the petitioner had executed a Will in respect of his share in the house, in which the petitioner is now residing, in favour of the legal heirs of petitioner's sisters. The brother of the petitioner questioned the same and started to threaten the petitioner. Therefore, the petitioner lodged a complaint before the first respondent. After receiving the said complaint, the respondent police has not even processed the same so far. Hence, the petitioner has filed the present writ petition with the aforesaid direction.

5. The learned counsel appearing for the petitioner would submit that it would suffice to issue a direction to the respondent to consider the petitioner's application, dated 26.07.2022.



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6.The learned Special Government Pleader appearing for the respondent has no objection for such an order being passed by this Court.

7.Considering the above said submissions, this Court, without expressing any opinion on the merits of the matter, directs the official respondent to consider the petitioner's application, dated 26.07.2022 and take appropriate action to provide protection to the petitioner and her sisters, within a period of twelve weeks from the date of receipt of a copy of this order and also to take action against the brother of the petitioner, if necessary.

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

28.10.2022

Index : Yes/No
Rmk

To

The Sub Collector cum
Revenue Divisional Officer,
Sub Collector Office,
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Tirunelveli District.



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V.BHAVANI SUBBAROYAN, J.

Rmk

Order made in
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