



W.P.(MD)No.26866 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 29.11.2022

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.26866 of 2022

Ponnambalam, S/o.Veeramalai

... Petitioner

Vs

1.The District Collector,
Collectorate, Trichy.

2.The Superintendent of Police,
District Police Head Quarters,
Subramaniyapuram,
Trichy.

3.The Revenue Divisional Officer,
Revenue Divisional Office,
Musiri.

4.The Deputy Superintendent of Police,
DSP Office, Musiri.

5.The Inspector of Police,
Thottiyam Police Station,
Thootiyam, Trichy District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the first respondent to consider the petitioner's representation, dated 1st June 2022 within a time frame fixed by this Court.



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For Petitioner : Mr.RM.Sivakumar

For Respondents 1 and 3: Mr.A.Kannan
Additional Government Pleader

For Respondents 2, 4 & 5: Mr.B.Thanga Aravindh
Government Advocate
(Criminal side)

ORDER

The petitioner has prayed for issuance of a Writ of Mandamus, directing the first respondent to consider his representation, dated 1st June, 2022, within a time frame.

2. Heard Mr.RM.Sivakumar, learned counsel appearing for the petitioner; Mr.A.Kannan, learned Additional Government Pleader, who takes notice for the respondents 1 and 3; and Mr.B.Thanga Aravindh, learned Government Advocate (Criminal side), who takes notice for the respondents 2, 4 and 5. By consent of both sides, the Writ Petition is taken up for final disposal at the admission stage itself.

3. According to the learned counsel for the petitioner, the petitioner's son namely, Kasinathan dispossessed the petitioner from his house and also from his agricultural land and hence, the petitioner is now taking shelter in a local Temple. Therefore, the petitioner sent a representation dated 01.06.2022 to the



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respondents under the Maintenance and Welfare of Parents and Senior Citizens

Act, 2007 [hereinafter referred to as "the Act"]. Since the same has not been considered so far, the petitioner has approached this Court by way of filing the present Writ Petition for the relief stated supra.

4. The learned Additional Government Pleader appearing for the respondents 1 and 3 submitted that the petitioner has given only a representation dated 01.06.2022, to the respondents and it is not in the form of appropriate petition under the Act. Hence, the petitioner may be directed to give a petition before third respondent and the same would be considered and appropriate orders would be passed on merits and in accordance with law, within a time frame.

5. Recording the aforesaid submission made by the learned Additional Government Pleader appearing for the respondents 1 and 3, this Court, without going into the merits of the matter, directs the petitioner to give a petition in an appropriate format before the third respondent within a period of two weeks from the date of receipt of a copy of this order. On receipt of such petition, the third respondent is directed to consider and dispose of the same on merits and in accordance with law, after providing an opportunity of hearing to all the necessary parties concerned, within a period of four weeks thereafter.



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6. This Writ Petition stands disposed of with the above direction. No

costs.

Index : Yes/No
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Musiri.
- 4.The Deputy Superintendent of Police,
DSP Office, Musiri.
- 5.The Inspector of Police,
Thottiyam Police Station,
Thootiyam, Trichy District.
- 6.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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V.BHAVANI SUBBAROYAN, J.

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