



WEB COPY



W.P. No. 31239 of 2023

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 02.11.2023**

**CORAM**

**THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU**

**W.P. No. 31239 of 2023**

Sivagami

... Petitioner

-VS-

1. The Appellate Authority cum District Collector  
District Collector Office  
Kottai Main Road  
Salem.

2. Bhuvaneshwari

... Respondents

**Prayer:-** Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the First Respondent herein to consider the Petitioner's representation dated 27.02.2023 with reference to W.P. No. 28190 of 2022 *Mohamed Dayan -vs- District Collector* passed by this Court dated 08.09.2023 within the specific period fixed by this Court.

For Petitioner : Ms. M.Nila

For Respondents : Mr. E.Veda Bagath Singh,  
Special Government Pleader (for R1)



W.P. No. 31239 of 2023

WEB COPY

## ORDER

Heard Ms. M.Nila, Learned Counsel for the Petitioner and Mr. E.Veda Bagath Singh, Learned Special Government Pleader, who takes notice for the First Respondent, and perused the materials placed on record, apart from the pleadings of the parties.

2. Having regard to the nature of order proposed to be passed in the Writ Petition, which would not cause any prejudice to the Second Respondent, notice to her is dispensed with.

3. The Writ Petition has been filed for directing the First Respondent to consider the representation dated 27.02.2023 made by the Petitioner under the Maintenance and Welfare of Parents and Senior Citizen Act, 2007, with reference to the decision of this Court in *Mohamed Dayan -vs- District Collector* (Order dated 08.09.2023 in W.P. No. 28190 of 2022) passed by the Court, within the time limit that may be fixed by the Court.

4. Learned Special Government Pleader appearing for the Respondents has



W.P. No. 31239 of 2023

produced Notice No. Na. Ka. 1022440/2023/C4 dated 31.10.2023 sent by the

First Respondent to the Petitioner showing that enquiry in the aforesaid representation made by the Petitioner has been fixed at 4.00 p.m. on 20.11.2023 and due notice would be sent to all parties concerned including the Petitioner and the Second Respondent.

5. In such circumstances, the Petitioner, the Second Respondent and all other concerned parties shall attend the hearing on the said date as well as on the subsequent dates to which it is adjourned and extend their co-operation for the expeditious disposal of the matter and there shall be atleast one effective hearing every month showing progress of the case. It shall be incumbent upon the First Respondent to afford full opportunity of hearing to all parties concerned following the prescribed procedure in consonance with the principles of natural justice, deal with each of the contentions raised and pass reasoned orders on merits and in accordance with law and communicate the decision taken to them under written acknowledgment. The report of such compliance shall be filed before the Registrar (Judicial) of this Court.



W.P. No. 31239 of 2023

**WEB COPY** In the result, the Writ Petition is disposed on the aforesaid terms. No costs.

02.11.2023

Index: Yes/No

NCC: Yes/No

**Note: Issue order copy by 29.12.2023.**

Maya

To

The Appellate Authority cum District Collector  
District Collector Office  
Kottai Main Road  
Salem.

Copy to

1. Sivagami,  
W/o. Periyasamy,  
No. 9/3, Shivaji Street,  
Ranipettai, Athoor Taluk,  
Salem.
2. Bhuvaneshwari,  
W/o. Sathiyaraj,  
No. 41, Chinna Salem Taluk,  
Kallakurichi.



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**W.P. No. 31239 of 2023**

**P.D. AUDIKESAVALU, J.**

*Maya*

**W.P. No. 31239 of 2023**

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