



W.P. No. 33181 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.11.2023

CORAM

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

W.P. No. 33181 of 2023

Arokiya Mari

... Petitioner

-VS-

1. The District Collector
Chennai, Chennai District.

2. The Revenue Divisional Officer
Central Chennai Division
Anna Nagar West Extension
Chennai.

3. Robert Ramesh
Respondents

...

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the Second Respondent to dispose of the Petitioner application dated 08.05.2023 given under the Maintenance and Welfare of Parents and Senior Citizen Act within the stipulated time prescribed by the Court.



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For Petitioner : Mr. M.Rajkumar
For Respondents : Mr. U.Baranidharan,
Additional Government Pleader
(for R1 & R2)

ORDER

Heard Mr. M.Rajkumar, Learned Counsel for the Petitioner and Mr. U.Baranidharan, Learned Additional Government Pleader, who takes notice for the First and Second Respondents 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 Third Respondent, notice to him is dispensed with.

3. The Petitioner claims to have been allotted with the house at Door No. 13, A-Block, Nehru Park, Tamil Nadu Slum Clearance Board, Chennai by Proceedings in Se. Mu. Ka. No. G5/15103/13 dated 09.10.2023 and that the Third Respondent, who is her son, had unlawfully removed her from the occupation of the said property and she had made an application dated



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08.05.2023 in that regard under the Maintenance and Welfare of Parents and

Senior Citizens Act, 2007, before the Second Respondent, but as it did not evoke any response, she has filed this Writ Petition.

4. Learned Additional Government Pleader appearing for the Respondents, on instructions, states that enquiry on the said application had been conducted on 08.08.2023 and had been adjourned for next hearing on 08.12.2023 and a memo dated 28.11.2023 has been filed to that effect.

5. In such circumstances, the Petitioner, the Third 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 two effective hearings every month showing progress of the matter. It shall be incumbent upon the Second 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 the Court.



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WEB COPY In the result, the Writ Petition is disposed on the aforesaid terms.

Consequently, connected Miscellaneous Petitions are closed. No costs.

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Index: Yes/No

NCC: Yes/No

Note: Issue order copy by 14.12.2023.

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To

1. The District Collector
Chennai, Chennai District.
2. The Revenue Divisional Officer
Central Chennai Division
Anna Nagar West Extension
Chennai.

Copy to

1. The Registrar (Judicial),
Madras High Court,
Chennai – 600 104.
2. Robert Ramesh,
S/o. Late Sebastin,
No. 13, A Block, Nehru Park,
Tamil Nadu Slum Clearance Board,
Chennai – 600 084.



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P.D. AUDIKESAVALU, J.

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