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W.P. No. 35174 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.12.2023

CORAM

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

W.P. No. 35174 of 2023

M.Zerina Begum

... Petitioner

-VS-

1. The District Collector,
Perambalur District,
Perambalur.

2. The Revenue Divisional Officer and Presiding Officer for Special Cases,
Perambalur Division,
Perambalur District.

3. Mohamed Unis

... 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 to dispose of the appeal dated Nil filed under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, against the orders of the Second Respondent dated 03.04.2023 in Mu. Mu. File No. A6/7721/2022.

For Petitioner : Mr. S.Kamadevan

For Respondents : Mr. S.J.Mohamed Sathik,
Government Advocate (for R1 & R2)



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ORDER

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Heard Mr. S.Kamadevan, Learned Counsel for the Petitioner and Mr. S.J.Mohamed Sathik, Learned Government Advocate, 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 Writ Petition has been filed for directing the First Respondent to dispose the appeal filed by the Petitioner under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, against the Order in Mu. Mu. File No. A6/7721/2022 dated 03.04.2023 passed by the Second Respondent.

4. Learned Government Advocate appearing for the First and Second Respondents has produced copy of the Notice in Letter No. COLREV/30820/2023/D1 dated 15.12.2023 sent to the Petitioner and the Third Respondent showing that enquiry on the said appeal has been fixed at 5.00 p.m. on



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27.12.2023 before the First Respondent and a memo dated 18.12.2023 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 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 the Court.

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

19.12.2023

Index: Yes/No

NCC: Yes/No

Note: Issue order copy by 19.02.2024.

vjt



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To

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1. The District Collector,
Perambalur District,
Perambalur.
2. The Revenue Divisional Officer and Presiding Officer for Special Cases,
Perambalur Division,
Perambalur District.

Copy to

1. The Registrar (Judicial),
Madras High Court,
Chennai – 600 104.
2. M.Zerina Begum,
W/o. Mohammed Ali,
No. 6, Super Nagar,
Madarasa Road,
Perambalur North,
Perambalur Taluk and District.
3. Mohamed Unis,
S/o. Mohamed Ali,
No. 62-3-A, Madarasa Road,
2nd Cross Street,
Perambalur Taluk and District.



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P.D. AUDIKESAVALU, J.

vjt

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