

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.04.2023

CORAM

THE HONOURABLE MR.JUSTICE **C.V.KARTHIKEYAN**

W.P.(MD)No.8116 of 2023

R.Vijayakumar Thondaman

... Petitioner

vs.

1.The District Collector,
O.o.District Collectorate,
Tiruchy District.

1.The District Collector,
O.o.District Collectorate,
Pudukottai District.

3.The Superintendent of Police,
O/o. District Superintendent,
Pudukottai District.

4.The Commissioner of Police,
O/o. Commissioner of Police,
Trichy District.

5.The Revenue Divisional Officer,
O/o.The Revenue Divisional Officer,
Tiruchy District.

6.Charubala

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to direct the Respondent No.1, to decide the petitioner's representation, dated 30.03.2023 as per Section 20 of Tamil Nadu Maintenance and Welfare of Parents and Senior Citizens Rules 2009 within the time prescribed by this Court.

For Petitioner	:Mr.S.Rajasekar
For R1 to R5	:Mr.C.Satheesh
	Government Advocate

ORDER

A son probably expects his mother to die. He has filed the present Writ Petition in the apprehension that the mother will die within the next two days. ie., Saturday and Sunday.

2.The cause of action has not yet arisen. The mother is still alive. Any request made by the petitioner to the Collector, has not arisen consideration as on date. This Court can issue a Mandamus only when an official authority has a legal duty under a particular Statute to do a particular act. Mandamus to direct consideration a representation given in the present case is not maintainable and cannot be issued. It is also

seen that the Writ Petitioner is not a stranger to the Court. He had earlier filed W.P(MD)No.3884 of 2023, in which an interim order was granted. The petitioner can always filed a Writ Miscellaneous Petition in the said Writ petition, but not a separate Writ Petition. This Writ Petition stands dismissed. No costs.

3.Even after the order was dictated, the learned Counsel still insisted. I regret that the petitioner has insisted the learned Counsel to make representations in the presumption that the mother will die within the next two days. This is not only a regrettable, but is a shame.

Index :Yes / No
Internet :Yes
NCC : Yes/No

06.04.2023

cmr

Note: Issue order copy by **06.04.2023**

To

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C.V.KARTHIKEYAN, J.

cmr

Order made in
W.P.(MD)No.8116 of 2023

06.04.2023