



W.P.(MD)No.12636 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.05.2023

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD)No.12636 of 2023

D.Renuka Devi

... Petitioner

Vs

1.The District Collector,
Madurai District
Madurai.

2.The Revenue Divisional Officer,
Melur,
Madurai District.

3.The District Social Welfare Officer,
Office of the District Social Welfare Office,
Madurai.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 3rd respondent implement the order of the 2nd respondent vide Oo.Mu.No.7426/2022/C dated 14.11.2022 under the provisions of the Maintenance and Welfare of the Parent and Senior Citizen Act, 2007 in accordance with law and consequently directing the 2nd respondent to dispose the representation dated 04.07.2022 pending before the 2nd respondent office within the stipulated time fixed by this Court.



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For Petitioner : Mr.M.Sankar
For R1 to R3 : Mr.M.Siddharthan
Additional Government Pleader

ORDER

By consent of both sides, the writ petition is taken up for final hearing at the stage of admission itself.

2.The writ petition has been filed for a mandamus directing the 3rd respondent implement the order of the 2nd respondent vide Oo.Mu.No. 7426/2022/C dated 14.11.2022 under the provisions of the Maintenance and Welfare of the Parent and Senior Citizen Act, 2007 in accordance with law and consequently directing the 2nd respondent to dispose the representation dated 04.07.2022 pending before the 2nd respondent office withn the stipulated time fixed by this Court.

3. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon the respondents to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its



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extraordinary powers under Article 226 of Constitution of India and direct them to consider the same within a stipulated time.

4. In the light of the above observations, there shall be a direction to the 2nd respondent herein to consider the petitioner's representation, dated 04.07.2022, on its own merits and pass appropriate orders in accordance with law, within a period of four (4) weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any of its views with regard to the merits of the claim of the petitioner and that it is open to the concerned respondent to consider the same on its own merits.

5. With the above direction, the Writ Petition stands disposed of. There shall be no order as to costs.

25.05.2023

NCC : Yes / No
RR



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M.S.RAMESH, J.

RR

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