



W.P.No.10140 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.04.2024

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CORAM :
THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P. No.10140 of 2024

P.Deepalakshmi D/o. late.Panchanathan

... Petitioner

Vs.

1. The District Collector,
Mayiladuthurai District,
Akalur, Mayiladuthurai – 609 001.
2. The Authority under the National Trust Act, 1999,
Mayiladuthurai District,
Akalur, Mayiladuthurai – 609 001.
3. The District Differently Abled Welfare Officer,
District Disabled Rehabilitation Office,
Collectorate, Mayiladuthurai District,
Akalur, Mayiladuthurai – 609 001.

...Respondents

Prayer: Writ Petition is filed under Article 226 of Constitution of India, for issuance of writ of Mandamus, directing the respondents to consider the application of the petitioner dated 12.12.2023 in online application No.TMMMD5472396019 and representation dated 12.12.2023 to appoint her as the Guardian for her brother P.Santhanakumar, Son of Late.Panchanathan having permanent residence at 1/211, Srinivasapuram, V.O.C.Street,



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Pattamangalam, Myladuthurai Taluk and District who is suffering from multiple disabilities namely Chronic Schizophrenia, Chronic Severe Mental Illness and Paranoid.

For Petitioner : Mr.M.Ramamoorthi
For Respondents : Mr.U.Baranidharan
Additional Government Pleader

ORDER

The writ of mandamus has been instituted to direct the respondents to consider the online application of the petitioner dated 12.12.2023 bearing application No.TMMMD5472396019 and representation dated 12.12.2023 to appoint her as the Guardian for her brother P.Santhanakumar, Son of Late.Panchanathan having permanent residence at 1/211, Srinivasapuram, V.O.C.Street, Pattamangalam, Myladuthurai Taluk and District, who is suffering from multiple disabilities viz., Chronic Schizophrenia, Chronic Severe Mental Illness and Paranoid.

2. The petitioner submitted an online application to appoint her as guardian for her brother, who suffers from mental illness. Since, the said online application has not been considered under the National Trust Act,1999 the present writ petition came to be instituted.



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3. Mr.U.Baranidharan, learned Additional Government Pleader appearing on behalf of the respondents based on the written instructions given by the District Differently Abled Welfare Officer, Mayiladuthurai dated 13.04.2024, states that the petitioner is eligible to seek appointment for limited guardianship under the Right of Persons with Disabilities Act, 2016. In this context, the Local Level Committee headed by the District Collector called for a meeting on 20.03.2024. But the petitioner did not attend the meeting and sought for another date after the parliamentary election scheduled to be held on 19.04.2024.

4. In view of the facts and circumstances, this Court is inclined to direct the 1st respondent/District Collector to provide one more opportunity to the petitioner and permit her to appear before the Local Level Committee headed by the District Collector on any day convenient to the Committee and intimate the date and time to the petitioner enabling her to participate before the Committee and place the facts and circumstances along with the documents. On receipt of communication from the respondents, the petitioner shall appear and redress her grievances in the manner known to law.



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5. With the above direction, this Writ Petition stands **disposed of**.

No costs.

15.04.2024

Index : Yes/No
Speaking Order : Yes/No
Neutral Citation : Yes/No
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To

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S.M.SUBRAMANIAM,J.

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