



W.P.No.17078 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.04.2024

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.17078 of 2022
and
W.M.P.No.16380 of 2022

Habibunnisa

... Petitioner

Vs

1. The District Collector,
Office of Collectorate,
Perambalur District.

2. Hayath Basha

... Respondents

Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the impugned message dated 22.11.2021 passed by the first respondent through SMS and quash the same and directing the first respondent to consider the petitioner's representation dated 18.10.2021 and to pass order after affording personal hearing.



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W.P.No.17078 of 2022

For Petitioner : Ms.S.Valarmathi

For Respondents : Mr.R.Neethiperumal,
Government Advocate (for R1)

Mr.S.Doraisamy (for R2)

O R D E R

The Writ Petition has been filed challenging the order passed by the first respondent, thereby, the first respondent rejecting the request made by the petitioner seeking maintenance and other reliefs as against the second respondent, who is none other than the son of the petitioner.

2. The case of the petitioner is that her husband was running a grocery shop till his demise. There were also family problems. Thereafter, the entire property was partitioned between their sons and daughters. Even after partition, the grocery shop was also grabbed by the second respondent. That apart, he had robbed a sum of Rs.8,00,000/- fraudulently from the petitioner and also other personal belongings of his father. Though the petitioner gave birth to four sons and eight daughters, no one is looking after her. Thereafter, the petitioner submitted a petition before the first respondent



W.P.No.17078 of 2022

seeking maintenance and other reliefs as against the second respondent, since he had grabbed the grocery shop and also cash. It was rejected by the first respondent, without stating any reason. However, the Revenue Divisional Officer is the appropriate authority under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 to order necessary relief to the petitioner. Now, the second respondent is running the grocery shop.

3. In view of the above facts and circumstances, the petitioner is directed to approach the concerned jurisdictional Revenue Divisional Officer seeking maintenance and other reliefs as against the second respondent in the manner known to law, within a period of two weeks from the date of receipt of a copy of this order. Till the disposal of the said representation by the concerned Revenue Divisional Officer, the second respondent is directed to pay interim maintenance of a sum of Rs.10,000/- per month to the petitioner without fail, on or before every 5th of the English Calendar month.

4. With the above directions, this Writ Petition is disposed of. Consequently, the connected Miscellaneous Petition is closed. No costs.



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W.P.No.17078 of 2022

05.04.2024

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

The District Collector,
Office of Collectorate,
Perambalur District.



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W.P.No.17078 of 2022

G.K.ILANTHIRAIYAN, J.

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W.P.No.17078 of 2022

05.04.2024