



W.P.No.5698 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.10.2024

CORAM

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.5698 of 2023

K.Sreenivasalu

.... Petitioner

Vs

1.The Sub Divisional Magistrate
cum Revenue Divisional Officer,
North Chennai Revenue Division,
Chennai.

2.The Commissioner of Police,
Office of the Commissioner of Police,
Chennai.

3.The Inspector of Police,
R.K.Nagar Police Station.

4.S.Krishnamoorthy

.... Respondents

Prayer:- Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Mandamus, directing the respondents 1 to 3 to implement the orders passed by the 1st respondent dated 08.02.2022 under provisions of Maintenance and Welfare of Parents and Senior Citizens Act, 2007.



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For Petitioner : Mr.Eswar
For R1 : Mr.P.Gurunathan
Additional Government Pleader
For R2 & R3 : Mr.R.Kishore Kumar
Government Advocate (Crl.Side)
For R4 : Mr.S.R.R.Raaghavan

ORDER

This Writ Petition has been filed for a direction, directing the respondents 1 to 3 to implement the order passed by the first respondent dated 08.02.2022.

2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. The petitioner is the father of the fourth respondent herein. The fourth respondent failed to maintain the petitioner and also use of the property belonging to the petitioner. Therefore, the petitioner was constrained to lodge a complaint under Section 23 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 before the first respondent. After conducting a detailed enquiry, the first respondent, by an order dated 08.02.2022, found that, even as per the complaint, the property stands in the name of the petitioner. Therefore,



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the question of canceling any document does not arise. Further, the first respondent directed the fourth respondent to maintain the petitioner as contemplated under Section 4(2) and 4(3) of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007. However, the petitioner was not maintained by the fourth respondent.

4. In view of the above, the petitioner is at liberty to lodge a complaint before the third respondent. On receipt of such complaint, the third respondent is directed to implement the order passed by the first respondent dated 08.02.2022, in accordance with law and take appropriate action against the fourth respondent.

5. With the above direction, this writ petition stands disposed of. No costs.

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Internet : Yes
Index : Yes/No
Speaking order/Non-speaking order
Lpp

To



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