



W.P(MD)No.876 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.01.2024

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

Writ Petition (MD)No.876 of 2024

and

W.M.P(MD)No.895 of 2024

N.Selvi

... Petitioner

-Vs-

1.The Revenue Divisional Officer,
Aruppukottai,
Virudhunagar.

2.Rejeshwari

... Respondents

PRAYER:- Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus restraining the first respondent not to enquire the compliant given by the second respondent dated 09.10.2023.

For Petitioner

: Mr.K.Prabhu

For Respondents

: Mr.A.Kannan

Addl. Govt. Pleader (for R1)

Mr.M.Mahaboob Athiff (for R2)



ORDER

2. It is seen that the second respondent, who is the mother of the petitioner, had gifted two sets of properties to the petitioner due to love and affection, in which, the petitioner has sold one property. Now, the petitioner is having two houses. While so, the second respondent/mother has given a complaint to the first respondent under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, since the petitioner has not maintained her properly. Based on the said complaint, the first respondent/Revenue Divisional Officer has issued notice No.A2/4647/2023 dated 06.12.2023 to the petitioner for enquiry. However, the petitioner did not appear before the first respondent. On the contrary, she has filed the present writ petition.



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3. Since the petitioner has not maintained her mother properly, she had given the complaint to the first respondent under the above said Act. Since it is only a notice for enquiry, no direction could be given in this writ petition. Therefore, this writ petition is not maintainable. Hence, the petitioner is directed to appear before the first respondent for enquiry on the next hearing date. After enquiry, the first respondent shall pass appropriate orders on merits and in accordance with law, after affording an opportunity of hearing to the parties, within a period of eight weeks.

4. With the above directions, this Writ Petition is **dismissed**. No costs. Consequently, connected miscellaneous petition is closed.

12.01.2024

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

To
The Revenue Divisional Officer,
Aruppukottai,
Virudhunagar.



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V.BHAVANI SUBBAROYAN, J.

skn

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