



W.P.(MD).No.17016 of 2022

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.11.2024

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.17016 of 2022

V.Savariraj

... Petitioner

Vs.

1.The District Collector,
Thoothukudi District,
Thoothukudi.

2.The Revenue Divisional Officer,
Kovilpatti,
Thoothukudi District.

3.The Tahsildar,
Kovilpatti Taluk,
Thoothukudi District.

4.Shankareshwari

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 1st respondent to ensure the petitioner's life and property of the District are protected and to live with security and dignity according to Sub-Rule (2) and (3) of Rule 20 of the Tamilnadu Maintenance and Welfare of Parents and Senior Citizens Rules, 2009 to take action against 4th respondent based on the representation in person dated 06.06.2022 to dispose of the same within the time limit that may be stipulated by this Court.



WEB COPY



W.P.(MD).No.17016 of 2022

For Petitioner : Mr.M.Pandian
For R-1to R-3 : Mr.S.Kameswaran,
Government Advocate
For R-4 : Mr.Hema Karthikeyan

ORDER

This writ petition has been filed to direct the 1st respondent to ensure the petitioner's life and property of the District are protected and to live with security and dignity according to Sub-Rule (2) and (3) of Rule 20 of the Tamilnadu Maintenance and Welfare of Parents and Senior Citizens Rules, 2009 to take action against 4th respondent based on the representation in person dated 06.06.2022 to dispose of the same within the time limit that may be stipulated by this Court.

2. Heard, Mr.M.Pandian, learned counsel appearing for the petitioner, Mr.S.Kameswaran, learned Government Advocate appearing for the respondents 1 to 3, Mr.Hemakarhikeyan, learned counsel appearing for 4th respondent and carefully perused the materials available on record.

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 respondent to consider the same on its own merits and pass appropriate



W.P.(MD).No.17016 of 2022

orders in one way or other instead of keeping the same pending indefinitely.

As such, non-consideration of the representation made by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking the extraordinary powers under Article 226 of the Constitution of India.

4. Considering the limited scope of the relief sought for by the petitioner herein, this Court is inclined to direct the 1st respondent to consider the representation made by the petitioner on 06.06.2022 under the Tamilnadu Maintenance and Welfare of Parents and Senior Citizens Rules, 2009 and dispose of the same within a period of two months from the date of receipt of a copy of this order, after giving opportunity to the 4th respondent.

5. In view of the above, this Writ Petition is disposed of. No costs.

05.11.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes
Sml



W.P.(MD).No.17016 of 2022

To
WEB COPY

- 1.The District Collector,
Thoothukudi District,
Thoothukudi.
- 2.The Revenue Divisional Officer,
Kovilpatti,
Thoothukudi District.
- 3.The Tahsildar,
Kovilpatti Taluk,
Thoothukudi District.



WEB COPY



W.P.(MD).No.17016 of 2022

L.VICTORIA GOWRI, J.

Sml

W.P.(MD).No.17016 of 2022

05.11.2024