



W.P.(MD) No.24646 of 2018

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.04.2024

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.(MD) No.24646 of 2018

M.Pandiyammal

... Petitioner

/vs./

**1.The Sub Collector,
Paramakudi,
Ramanathapuram District.**

2.Muthuramu

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 1st respondent to pass orders on the enquiry conducted pursuant to the notice issued by the 1st respondent in his proceedings Na.Ka.No.A2/87/19/2/2018 dated 08.11.2018 based on the complaint made by the 2nd respondent in the light of petitioner's objections filed before the 1st respondent on 22.11.2018 by duly directing the 1st respondent to decide the maintainability of the complaint in view of the pending civil suit in O.S.No.15 of 2012 on the file of Sub Court, Paramakudi, Ramanathapuram District and also as per Senior Citizens Act, 2007 as well as providing the petitioner an opportunity of personal hearing within a time frame as fixed by this Court.



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For Petitioner : Mr.S.Prahalad Ravi for
Mr.J.Muneer Khan

For R1 : Mr.A.Sivanupandian
Government Advocate

For R2 : Mr.R.Babu Jeganath

ORDER

The writ petition has been filed for a Writ of Mandamus to direct the first respondent to pass orders on the enquiry conducted pursuant to the notice issued by the first respondent in his proceedings in Na.Ka.No.A2/87/19/2/2018 dated 08.11.2018, based on the complaint made by the second respondent, in the light of petitioner's objections filed before the first respondent on 22.11.2018.

2.The learned counsel for the petitioner would submit that the second respondent has given an application for maintenance under the provisions of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007. The petitioner has given a reply on behalf of her husband on 22.11.2018 stating that she is willing to take care of the second respondent provided he comes and stays with the family.



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3. That apart, it is submitted that the second respondent is drawing pension and therefore, on this count, he is not entitled for any protection under the provisions of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007.

4. It is noticed that the enquiry has been conducted by the first respondent. However, no order has been passed so far, in response to the reply of the petitioner to the said application of the second respondent.

5. The learned Government Advocate for the first respondent submits that appropriate orders will be passed as expeditiously as possible, preferably within a period of 8 weeks.

6. Recording the above submission, the Writ Petition stands disposed of by directing the first respondent to pass appropriate orders on the application filed by the second respondent, after duly considering the reply of the petitioner dated 22.11.2018. It is needless to state that the petitioner and the second respondent shall be heard before the orders are passed.



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No costs.

Index : Yes / No
Internet : Yes / No
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To

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C.SARAVANAN, J.

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