



W.P.(MD)No.29812 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **11.12.2024**

CORAM:

THE HONOURABLE **MRS.JUSTICE L.VICTORIA GOWRI**

W.P.(MD)No.29812 of 2024

R.Sathaiya

... Petitioner

Vs.

1. The District Collector,
Ramanathapuram.,
Ramanathapuram District.
2. The Revenue Division Officer,
Paramakudi,
Ramanathapuram District.
3. S.Boominathan
4. Parimala Devi

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the 2nd respondent to consider the petition dated 07.08.2024 filed U/s.23 of Maintenance and Welfare of Parents and Senior Citizen Act, 2007 by the petitioner and consequently direct the 2nd respondent to pass order within stipulated by this Court.

For Petitioner : Mr.VRajiv Rufus

For Respondents : Mr.D.S.Neduncheliyan (R1 & R2)

Government Advocate



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ORDER

This writ petition has been filed seeking for a direction to the second respondent to consider the petitioner's petition dated 07.08.2024 filed under the Maintenance and Welfare of Parents and Senior Citizen Act, 2007 (hereinafter referred to as the “Act” for brevity) and also to direct the second respondent to pass orders.

2. By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

3. Heard the learned counsel on both sides and carefully perused the entire materials available on record.

4. The petitioner is a senior citizen aged about 74. The third and fourth respondents are the petitioner's son and daughter-in-law. The petitioner filed a petition dated 07.08.2024 under the Act before the official respondents.

5. The learned Government Advocate appearing for the official respondents submitted that the report from the jurisdictional social welfare



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officer is awaited and hence, delay has occurred in considering the petition of the petitioner.

6. Whenever an application is made under the Act, it is the statutory duty cast upon the competent authority to act upon to conduct an enquiry and pass appropriate orders under the Act.

7. In view of the above and recording the submission made by the learned Government Advocate appearing for the official respondents, this Court hereby direct the first respondent to earmark some period of time for the Social Welfare Officers to submit reports in the matters pertaining to the Act before the second respondent. On receipt of the report from the jurisdictional Social Welfare Officer, the second respondent is directed to consider the petitioner's petition dated 07.08.2024 and commence enquiry ,after giving notice to the petitioner as well as the respondents 3 and 4 and pass appropriate orders as contemplated under the Act within the mandated time. This writ petition is accordingly disposed of. No costs.

11.12.2024

NCC : Yes / No
Index : Yes / No



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L.VICTORIA GOWRI, J.

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TO:-

1. The District Collector,
Ramanathapuram.,
Ramanathapuram District.
2. The Revenue Division Officer,
Paramakudi,
Ramanathapuram District.

Order made in
W.P.(MD)No.29812 of 2024

Dated
11.12.2024