



WEB COPY

WP.No.15085 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-07-2025

CORAM

THE HONOURABLE MRS. JUSTICE N.MALA

WP.No.15085 of 2025

1.M.Venkatesan,
S/o Late Manika Gounder, No.1/408 A,
Pudhamai, Rajkal Village Post,
Pornampattu Taluk, Vellore District.

2.M. Kalaiselvi,
D/o Late Manika Gounder, No.1/408 A,
Pudhamai, Rajkal Village Post,
Pornampattu Taluk, Vellore District.

Petitioner(s)

Vs

1.The Collector,
O/o The Collectorate,
Vellore District.

2.The District Social Welfare Officer,
District Social Welfare Office,
Appellate Authority,
O/o.The Collectorate,
Vellore District.

3.The Revenue Divisional Office (cum) Presiding Officer,
Parents, Senior Citizen Maintenance Tribunal,



Gudiatham, Vellore District.

4.Mrs.Malliga

W/o Dhamodharan,

No.1/17, Pillaiyar Kovil Street,
Vallampattu Village, Vaduganthangal Post,
Kadpadi Taluk, Vellore District.

5.Mrs.Theerathammal,

W/o. Viswanathan No.11,

8th Cross Street, Rajiv Gandhi Nagar,
Allapuram, Vellore Taluk,
Vellore-town, Vellore.

6.Mrs.Parimala,

W/o.Umapathy, No.1/17, Kadpadi Main Road,
Vapanikonam Village, K.V. Kuppam Post,
Kadpadi Taluk, Vellore District.

Respondent(s)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a direction in the nature of Writ of Mandamus, directing the 2nd Respondent to conduct the enquiry in this Petitioner's Appeal in Na.Ka.No.1371/Voo/2024 on the file of the 2nd Respondent within the time frame fixed by this Honble Court and pass such further orders.

For Petitioner(s): M/s.K.Seetharam

For Respondent(s): Mr.S.J.Mohamed Sathik,
Government Advocate

ORDER

This writ petition has been filed for issuance of a Writ of Mandamus, directing the 2nd Respondent to conduct the enquiry in the Petitioner's Appeal in



Na.Ka.No.1371/Voo/2024 on the file of the 2nd Respondent.

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2. The petitioners' are brother and sister, both physically handicapped and unmarried. They inherited agricultural land from their father through a partition deed registered in 1986. They were living independently and sustained themselves from the income from the ancestral property. In 2018, their other sisters (respondents 4 to 6) allegedly induced them to execute a settlement deed, promising lifelong care and a monthly maintenance of Rs.30,000/-. However, after obtaining the property, the respondents abandoned the petitioners. Consequently, a complaint was filed by them before the third respondent under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007. By an order dated 06.08.2024, the private respondents were directed to pay Rs.1,500/- per petitioner as maintenance. Aggrieved by the order, the petitioners filed an appeal before the second respondent on 04.09.2024, but despite the issuance of notice and an initial hearing on 14.10.2024, there was no further progress for over six months.

3. Learned counsel for the petitioners' contends that the petitioners' were deceived by the respondents into transferring their property under false



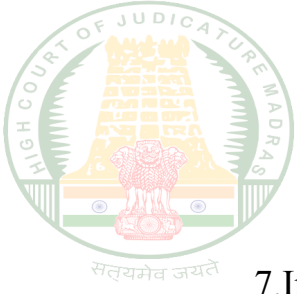
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assurances and were subsequently neglected, causing them severe hardship. He contends that the authorities have failed to act on their appeal under Section 16(1) of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, despite repeated reminders. The counsel therefore prayed that appropriate orders may be passed for speedy disposal of the petitioners' appeal pending with the second respondent.

4. Learned Government Advocate appearing for R1 to R3 submits that already an enquiry was initiated by the second respondent and hence requested two more months to complete the enquiry and pass orders in the appeal.

5. Heard both sides and perused the materials available on record.

6. As the second respondent has already initiated the enquiry proceedings, in the petitioners' appeal without going into the merits of the case, the second respondent is directed to conclude the enquiry in the Petitioner's Appeal in Na.Ka.No.1371/Voo/2024, on merits and in accordance with law, and pass appropriate orders within a period of two months from the date of receipt of a copy of this order.



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7. In the result, the writ petition stands disposed of with the above observations and direction. No costs.

28-04-2025

(1/2)

Index: Yes/No

Internet: Yes/No

Speaking/Non-Speaking order
mtl

To

1. The Collector,
O/o The Collectorate,
Vellore District.

2. The District Social Welfare Officer,
District Social Welfare Office,
Appellate Authority,
O/o. The Collectorate,
Vellore District.

3. The Revenue Divisional Office (cum) Presiding Officer,
Parents, Senior Citizen Maintenance Tribunal,
Gudiatham, Vellore District.



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N.MALA, J.

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