



W.P.(MD)No.4735 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.4735 of 2025

Arumugam

: Petitioner

Vs.

1. The Grievance Officer/sub Collector,
(Under Maintenance and Welfare of
Parents and Senior Citizens Act 2007)
Madurai, Madurai District.

2. Palani Periyasamy

: Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 1st respondent to take the appropriate action on the representation sent by the petitioner dated 19.12.2024 within a time frame.

For Petitioner : Mr.D.Rajaboopathy

For Respondents : Mr.J.K.Jeyaseelan

Government Advocate for R1



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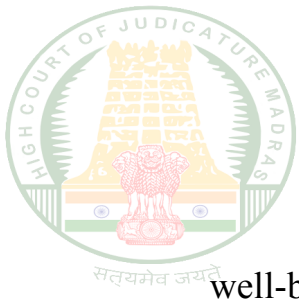
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ORDER

The petitioner has filed this writ petition for issuance of a writ of mandamus, directing the first respondent to take the appropriate action on the representation sent by the petitioner dated 19.12.2024, within a time frame.

2. Heard the learned counsel for the petitioner and Mr.J.K.Jeyaseelan, learned Standing Counsel, accepts notice on behalf of the first respondent. In view of the consent expressed by the learned counsel for the parties, this writ petition is taken up for final disposal at the stage of admission itself. Having regard to the nature of the order proposed to be passed in this writ petition, notice to the second respondent is dispensed with.

3. The case of the petitioner is that his son, Palani, who is the second respondent herein, obtained his signature on a blank stamp paper for the purpose of applying for a bank loan. In connection with this, the petitioner was also forced to sign a gift deed in relation to the execution of properties. However, without considering the petitioner's



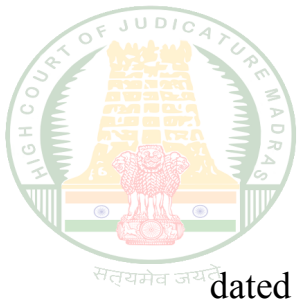
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well-being, his son deceived him and threatened him with dire consequences. In this regard, he submitted a representation to the first respondent on 19.12.2024, requesting the cancellation of gift deed in Doc.No.692/2021 and 1784/2024 dated 06.06.2024. However, since there is no any response or corrective action was taken by the first respondent, the petitioner has been compelled to file the present writ petition.

4. 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 him to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of the Constitution of India and direct them to consider the same within a stipulated time.

5. In the light of the above observations, there shall be a direction to the first respondent to consider the petitioner's representation



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dated 19.12.2024, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner, as well as all other persons, who may be interested in the subject matter, within a period of four weeks from the date of receipt of a copy of this order. It is also made clear that this Court has not expressed any of its views with regard to the merits of the matter and that it is open to the first respondent to consider the same on its own merits.

6. With the above directions, the Writ Petition stands disposed of. There shall be no order as to costs.

21.02.2025

Index : Yes / No

Internet : Yes / No

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VIVEK KUMAR SINGH, J.

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