



W.P.(MD).No.8740 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 01.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.8740 of 2025

Guhan Pandiyan

... Petitioner

-VS-

1. The District Collector,
Tenkasi District.
2. The Superintendent of Police,
Tenkasi District.
3. The Revenue Divisional Officer,
Tenkasi Division,
Tenkasi District.
4. The Inspector of Police,
Senkottai Police Station
Tenkasi District.
5. M.Kavitha
6. Muthukumar

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents 1 to 4 take necessary action against the respondents 5 and 6 based on the petitioner's representation dated 14.11.2024 under the Tamil Nadu Maintenance and Welfare of Parents and Senior Citizen Rules 2009.



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W.P.(MD).No.8740 of 2025

For Petitioner : Mr.C.Saravanakumar
For Respondents : Mr.K.S.Selva Ganesan (R1 to R3)
Additional Government Pleader
Mr.K.Gnanasekaran (R4)
Government Advocate (Crl. Side)

ORDER

This writ petition has been filed seeking a direction to the respondents 1 to 4 to take necessary action against the respondents 5 and 6, based on the petitioner's representation dated 14.11.2024 filed under the Tamil Nadu Maintenance and Welfare of Parents and Senior Citizen Rules, 2009.

2. By consent of both parties, this writ petition is disposed at the stage of admission itself. Considering the nature of the order going to be passed in this writ petition, notice to the private respondents is dispensed with.

3. The case of the petitioner is that the fifth respondent, who is his younger daughter living in the same roof, executed a forged settlement deed in respect of the petitioner's property in her favour and in turn, she executed the same in favour of her husband, who is in abroad. Subsequently, the said settlement deed was cancelled. Now, the fifth respondent is disturbing the



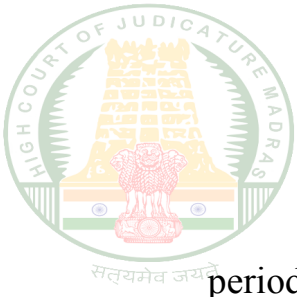
W.P.(MD).No.8740 of 2025

WEB COPY

petitioner and his wife to lead a peaceful life. Hence, the petitioner made a representation to the respondents dated 14.11.2024 under the Tamil Nadu Maintenance and Welfare of Parents and Senior Citizen Rules 2009. Since the said representation was not considered, the petitioner has filed 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 third respondent to consider the petitioner's representation dated 14.11.2024, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner and the private respondents, as well as all other persons, who may be interested in the subject matter, within a



W.P.(MD).No.8740 of 2025

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period of six 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 respondents to consider the same on its own merits.

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

01.04.2025

NCC : Yes/No
Index : Yes / No
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W.P.(MD).No.8740 of 2025

WEB COPY

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W.P.(MD).No.8740 of 2025

VIVEK KUMAR SINGH, J.

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Order made in
W.P.(MD)No.8740 of 2025

Dated:
01.04.2025