



W.P.(MD)No.9881 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.9881 of 2025

Zeenathnisha

: Petitioner

Vs.

1. The District Collector,
The Chairman of Appellate Tribunal,
(Under Maintenance and Welfare of
Parents and Senior Citizens Act, 2007),
Pudukkottai,
Pudukkottai District.

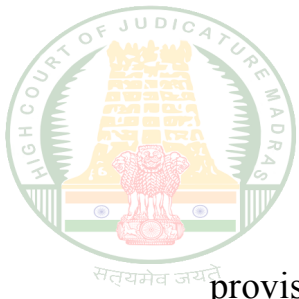
2. The Revenue Divisional Officer Cum
the Chairman of Sub Divisional Tribunal,
(Under Maintenance and Welfare of Parents
and Senior Citizens Act, 2007),
Aranthangi, Pudukkottai.

3. The Superintendent of Police,
Pudukkottai District,
Pudukkottai.

4. The District Social Welfare,
Officer, Pudukkottai District,
Pudukkottai.

: Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to implement the order of the first respondent dated 17.05.2023 under the



W.P.(MD)No.9881 of 2025

provisions of Tamil Nadu Maintenance and Welfare Senior Citizens Act, 2007, based on the petitioners representation dated 24.01.2025.

For Petitioner : Mr.D.Rameshkumar

For Respondents : Mr.C.Venkatesh Kumar

Spl. Government Pleader

for R1, R2, R4

Mr.K.Gnanasekaran

Government Advocate (Crl.) for R3

ORDER

This Writ Petition has been filed seeking a direction to the respondents to implement the order of the first respondent dated 17.05.2023 under the provisions of Tamil Nadu Maintenance and Welfare Senior Citizens Act, 2007, based on the petitioner's representation dated 24.01.2025.

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



W.P.(MD)No.9881 of 2025

WEB COPY

3. The case of the petitioner is that she filed a petition under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, before the second respondent, seeking action against her younger son and daughter-in-law. However, the petition was dismissed on 05.04.2022 with a direction to approach the competent civil court. Against this, the petitioner preferred an appeal before the first respondent and consequently, the order of the second respondent was modified by the first respondent, directing the petitioner's younger son to pay a sum of Rs. 5,000/- as monthly maintenance. The grievance of the petitioner is that, despite the order passed by the first respondent, the same has not been complied with. In this regard, she submitted a representation dated 24.01.2025 to the first respondent. However, as no action has been taken, the petitioner has now 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



W.P.(MD)No.9881 of 2025

WEB COPY

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 dated 24.01.2025, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner, as well as all the other persons, who may be interested in the subject matter, within a period of three months 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.

08.04.2025

Index : Yes / No

Internet : Yes / No

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4/6



W.P.(MD)No.9881 of 2025

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W.P.(MD)No.9881 of 2025

VIVEK KUMAR SINGH, J.

PKN

W.P.(MD) No.9881 of 2025

08.04.2025