



W.P(MD)No.23557 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.09.2025

CORAM

THE HONOURABLE MS.JUSTICE P.T.ASHA

Writ Petition(MD)No.23557 of 2025

Lakshmi

..Petitioner

Vs

1.The District Collector,
Thanjavur District.

2.The Revenue Divisional Officer,
(Maintenance Tribunal under the
Maintenance and Welfare of Parents and
Senior Citizens Act, 2007)
Thanjavur,
Thanjavur District.

3.Muruganantham

4.Kanmani

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus to direct the second respondent to consider the application dated 30.06.2025 filed under Section 5 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 and representation dated 07.08.2025 within the time frame that may be stipulated by this court.



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For Petitioner : Mr.A.Robinson

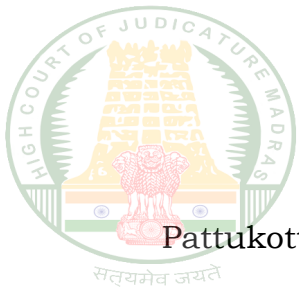
For Respondents : Mrs.D.Farjana Ghoshia
Spl. Govt. Pleader

ORDER

Mrs.D.Farjana Ghoshia, learned Special Government Pleader, takes notice for the respondents 1 and 2. Since no adverse order is going to be passed, notice to the respondents 3 and 4 is dispensed with. By consent, this writ petition is taken up for final disposal at the stage of admission itself.

2. The petitioner seeks a direction to the second respondent to consider the application dated 30.06.2025 filed under Section 5 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, along with the representation dated 07.08.2025, within the stipulated time.

3. When the matter is taken up for hearing, the learned Special Government Pleader, who takes notice for respondents 1 and 2, furnished a copy of the communication dated 21.08.2025 addressed by the first respondent to the Revenue Divisional Officer, Pattukottai. It is stated therein that the petitioner's application has been transferred from the file of the second respondent to the file of the Revenue Divisional Officer,



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Pattukottai. However, a perusal of the typed set of papers indicates that the petitioner's residence falls within the jurisdiction of the second respondent.

Section 6(1)(a) of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, makes it clear that an application under Section 5 can be entertained by the Tribunal having territorial jurisdiction.

4. Considering the fact that the petitioner's residence falls within the jurisdiction of the second respondent, it is for the second respondent to consider and pass orders on the application of the petitioner dated 30.06.2025 on its own merits. The second respondent ought not to have suo motu transferred the application to the Revenue Divisional Officer, Pattukottai. If he was of the opinion that he lacked jurisdiction, he should have returned the application and directed the petitioner to present the same before the appropriate Tribunal.

5. In view of the above, this writ petition is allowed. The second respondent is directed to dispose of the petitioner's application dated 30.06.2025 within a period of four months from the date of receipt of a copy of this order. No costs.

01.09.2025

NCC : Yes/No
Index : Yes/No
Internet:Yes
skn



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P.T.ASHA, J.

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