

Today's Paper » NATIONAL » TAMIL NADU

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Rich son has to pay for upkeep of neglected father, says High Court

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There is a ray of hope for 80-year-old K. Narayanasamy, who has been neglected by his children and is living without any means.

The Madras High Court has directed the Chennai District Collector to consider his plight and order payment of maintenance to him within two weeks.

Not sparing the Collector, the court rebuked him for keeping the senior citizen's representation for one year.

In his writ petition, the elderly person sought a direction to the Collector to consider his representation dated September 3 last year and take action against his son under the Maintenance and Welfare of Parents and Senior Citizens Act.

Mr. Narayanasamy, whose two sons and five daughters are married, alleged that his younger son, Venkatesan, who was working abroad, had taken away his house at Taramani here by obtaining a settlement deed in his favour by force.

His articles were thrown out. He was now at another place in the same locality without any means. His wife was no more. He was not able to go to his daughter's place. His elder son, Sundarababu, was unemployed.

Narrating his grievance, he sent a representation to the Collector for registering a case against Mr. Venkatesan and for ordering maintenance.

Under the Act, the District Collector was vested with power to register a case and conduct an inquiry by summoning his son and order maintenance.

Disposing of the petition, Justice N. Paul Vasanthakumar said the Collector was a statutory authority bound to take action under the Act. "Keeping the matter for over one year is not an appreciable conduct on the part of the respondent."

The petitioner was made to suffer due to inaction on the part of the respondent even after the welfare legislation was enacted by Parliament in 2007.

Hence, he directed the Collector to consider the petitioner's grievance in the light of his representation, followed by a legal notice in August this year and order maintenance to the petitioner as per law.