



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)**

[3329]

WEDNESDAY, THE ELEVENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION NO: 3904/2026

Between:

1. KOTA JOGI RAJU, W/O. APPA RAO, AGED ABOUT 65 YEARS, R/O.
D.NO. 1-1, EDATAM, PAYAKARAOPETA, VISAKHAPATNAM.

...PETITIONER

AND

1. THE STATE OF AP, HEALTH, MEDICAL, FAMILY WELFARE,
WOMEN DEVELOPMENT AND CHILD WELFARE DEPARTMENT,
SECRETARIAT, VELAGAPUDI, AMARAVATHI, GUNTUR DISTRICT.
REP. BY ITS PRINCIPAL SECRETARY. - 522237

2. THE DISTRICT COLLECTOR, KAKINADA DISTRICT. 533001

3. THE REVENUE DIVISIONAL, OFFICER AND SUB DIVISIONAL
MAGISTRATE PEDDAPURAM, KAKINADA DISTRICT. 533001

...RESPONDENT(S):

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue an appropriate Writ, Order or direction, more particularly one in the nature of Writ of Mandamus declaring the action of the 3rd respondent in not considering and disposing of the petition vide O.P.No.14/2025 pending before him as illegal, arbitrary and contrary to the provisions of maintenance and welfare of parents and senior citizens Act, 2007 and in violation of Art. 14 and 21 and consequently direct the 3rd respondent to dispose of O.P.No.14/2025 and pass

IA NO: 1 OF 2026

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased may be pleased to direct the 3rd respondent to dispose of the petition vide O.P.No.14/2025, pending disposal of the writ petition and pass

Counsel for the Petitioner:

- 1.RAVITEJA JAMMALAMADAKA

Counsel for the Respondent(S):

- 1.GP FOR REVENUE
- 2.GP FOR MEDICAL HEALTH FW

The Court made the following:

THE HON'BLE SRI JUSTICE VENKATESWARLU NIMMAGADDA**WRIT PETITION NO: 3904/2026****ORDER:**

This writ petition is filed under Article 226 of the Constitution of the India seeking the following reliefs:-

“to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the 3rd respondent in not considering and disposing of the petition vide O.P.No.14/2025 pending before him as illegal, arbitrary and contrary to the provisions of Maintenance and Welfare of Parents and Senior Citizens Act, 2007 and in violation of Article 14 and 21 and consequently direct the 3rd respondent to dispose of O.P.No.14/2025 and pass such other order.”

2. Heard learned counsel for the petitioner and learned Government Pleader for the respondents.

3. Learned counsel for the petitioner submits that the petitioner is a senior citizen. The petitioner executed a registered gift deed in favour of her elder daughter i.e., Rayudu Saraswati on the premise that she will look after the welfare of the petitioner. But, the elder daughter of the petitioner is neither looking after the petitioner nor her maintenance. As such, the petitioner made a representation to the 2nd respondent seeking for revocation of the registered gift deed which was executed by the petitioner in favour of her elder daughter under the provisions of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 (herein after referred as 'Act, 2007'). The 2nd respondent forwarded the said representation to the

3rd respondent. The 3rd respondent numbered the said representation as O.P.No.14 of 2025 and issued a notice to the petitioner informing that the representation of the petitioner will be enquired. Thereafter, the petitioner made several requests to the 3rd respondent, but the 3rd respondent neither concluded the enquiry nor passed any orders in the said O.P.No.14 of 2025. As such, the Writ Petition is filed.

4. Learned counsel for the petitioner further submits that as per Section 5(4) of Act, 2007, an application filed by a senior citizen should be disposed of within a period of ninety days. As such learned counsel for the petitioner requests to issue a direction to the respondents to dispose of the said petition, at the earliest.

5. Learned Government Pleader for the respondents submits that the respondents will conduct enquiry and dispose of the said O.P., within a short period.

6. Considering the submission made by the learned counsel for the petitioner and the learned Government Pleader for the respondents, it is observed that an application filed by a senior citizen should be disposed of within a period of ninety days as per Section 5(4) of the Act, 2007. In the present case on hand, the petitioner is a senior citizen, but the respondents did not disposed of the application of the petitioner within the time as stipulated. As

such, this Court inclined to dispose of the Writ Petition directing the respondents more particularly, respondent No.3 to consider the application/O.P.No.14 of 2025 and pass appropriate orders after conducting due enquiry by following due procedure as contemplated, within a period of sixty (60) days from the date of receipt of copy of this Order.

7. With the above direction, the Writ Petition is disposed of. There shall be no order as to costs.

As a sequel miscellaneous application, pending, if any, shall also stand closed.

11.02.2026
TPS

VENKATESWARLU NIMMAGADDA, J

45

HON'BLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION NO:3904/2026

11.02.2026

TPS