

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.10.2015

CORAM

THE HON'BLE Mr. JUSTICE M.M.SUNDRESH

W.P.No.12015 of 2015

Kantha @ K.T.Kanthasoroobi

.. Petitioner

Vs.

1. The District Collector,
O/o the District Collector,
Chennai Collectorate,
Singaravelar Maligai,
Rajaji Salai, Chennai-600 001.
2. The District Revenue Officer,
O/o the District Revenue Officer,
Chennai Collectorate,
Singaravelar Maligai,
Rajaji Salai, Chennai-600 001.
3. The Sub Registrar,
Sub Registrar Office,
Mylapore, Chennai-600 004.
4. Mrs. Mandothari Prasad @ Russia
5. Mr.Prasad

.. Respondents

Prayer: Petition is filed under Article 226 of The Constitution of India praying to issue a writ of mandamus directing the 2nd respondent to take appropriate legal action against the respondents 4 and 5 based upon the representation of the petitioner dated 17.03.2015 under the relevant provisions of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 regarding the cancellation of illegal settlement Deed dated 27.05.2013 executed by the respondents 4 and 5 with the help of the then 3rd respondent.

For Petitioner .. Mr.S.Kumaradevan

For Respondents.. Mr.S.Diwakar,
Addl. Government Pleader for R1 to R3
Mr.S.Balasubramanian for R4 & R5

ORDER

The petitioner is the wife of Thiruvarur Thangarasu @ K.Thangaraju, who was one of the volunteer of the great eminent leader Thanthai Periyar E.V.Ramasamy. Earlier, she did execute a settlement deed in favour of the fourth respondent. Alleging that the said respondent has misrepresented, used force and coercion and thus played fraud, a representation was given by the petitioner. In pursuant to the said representation, an enquiry was conducted, but the petitioner did not appear on 12.05.2015. The reason for such non appearance is she was bed ridden at the relevant point of time. The petitioner, thereafter, cancelled the settlement deed and executed the fresh one. On her request, patta changed in favour of the fourth respondent was also cancelled. Seeking appropriate action on the representation dated 17.03.2015, the petitioner has come forward to file this writ petition.

2. A perusal of the counter affidavit filed by the first respondent would show that enquiry was accordingly conducted.

3. Considering the above said facts, the writ petition stands disposed of by directing the first respondent to conduct an enquiry within a period of eight weeks from the date of receipt of a copy of this order. Before doing so, the first respondent shall issue notice to the petitioner and the fourth respondent and proceed thereafter. The first respondent is also at liberty to issue notice to the other children of the petitioner. No costs.
raa

Sd/-
Assistant Registrar (IV)

/True Copy/

सत्यमेव जयते
Sub-Assistant Registrar

To

1.The District Collector,
O/o the District Collector,
Chennai Collectorate,
Singaravelar Maligai,
Rajaji Salai, Chennai-600 001.

2.The District Revenue Officer,
O/o the District Revenue Officer,
Chennai Collectorate,
Singaravelar Maligai,
Rajaji Salai, Chennai-600 001.

3. The Sub Registrar,
Sub Registrar Office,
Mylapore, Chennai-600 004.

+1 C.C. to MR.S.Balasubramaniam Advocate in Sr.No.57977

+1 C.C. to MR.S.Kumaradevan, Advocate in Sr.No.57965

+1 C.C. to Government Pleader in Sr.No.58099

W.P.No.12015 of 2015

CTK (CO)
sd : 28/10/2015



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