IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.01.2017

CORAM:

THE HONOURABLE MR. JUSTICE B.RAJENDRAN

WRIT PETITION No.44402 of 2016

R.Gopal ... Petitioner

vs.

1. The District Collector,
Collectorate of Chennai,
Singaravelar Maligai,
No.62, Rajaji Salai,
Chennai 600 001.

2. The Inspector General of Registration,
Registrar Office,
Santhome High Road,
Mylapore,
Chennai 600 004.

3. The Sub-Registrar,
Kodambakkam Sub Registrar Office,
Kodambakkam,
Chennai. ... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus directing the respondent to consider the petitioner's representation dated 22.09.2016.

For Petitioner : Ms.Thenmozhi Shiva Perumal

For Respondents: Mr.A.Kumar,
Special Government Pleader

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O R D E R

Seeking a direction to the respondent to consider his representation dated 22.09.2016, the petitioner, who is a senior citizen, has come up with the present Writ Petition.

2. According to the petitioner, he is doing Transport business and he owns many vehicles. Owing to his old age, he is not able to run the transport business. It is his case, that

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his signature has been forged by his sons in his R.C.Book and his vehicle has been mortgaged in a Finance Company for a sum of Rs.29,60,100/-. Since they refused to pay the instalments, the Finance Company sent a legal notice to the petitioner on 24.06.2015 and after coming to know about their forgery, the petitioner sent a reply notice on 05.07.2015.

3. It is his further case that his children forced him and his wife to execute a settlement deed in respect of the residential property acquired by the petitioner under the allotment of the Slum Clearance Board and registered a Settlement Deed vide Doc.No.478 of 2015 on 27.02.2015. The grievance of the petitioner is that pursuant to the registration of the Settlement Deed, his children are taking steps to sell the property. It is also his case that his children do not look after him or part with monthly maintenance amount for their livelihood. Apart from that, they are also in the habit of hitting the petitioner and abusing him in a filthy language. Hence, the petitioner made a representation dated 22.09.2016 to the respondents seeking cancellation of the said Settlement Deed. Pending consideration of the same, the petitioner is before this Court.

4. Heard the learned counsel on either side and perused the material documents available on record.

5. Considering the facts and circumstances of the case, this Court directs the respondents to consider the petitioner's representation dated 22.09.2016 on merits and in accordance with law, after giving an opportunity of hearing to the parties, and pass appropriate orders within a period of two months from the date of receipt of a copy of this order.

This Writ Petition is disposed of with the above direction. No costs.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

aeb

To:

1. The District Collector,
   Collectorate of Chennai,
   Singaravelar Maligai,
   No.62, Rajaji Salai,
   Chennai 600 001.

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Kodambakkam,
Chennai.

+1cc to Government Pleader sr.215

Order in
W.P.No.44402 of 2016

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ss(3/3/2017)

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