

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.09.2020

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.6823 of 2020
and
WMP No.8125 of 2020

G.Chellammal
W/o.Late S.Govindasamy ... petitioner

Vs

1.The District Collector,
Chennai District.

2.Revenue Divisional Officer,
Chennai North.

3.K.Chandra Prakash
S/o.Late G.Kannan

4.K.Swapna
W/o.Late G.Kannan

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of mandamus directing the first and second respondents to consider the representations dated 07.12.2019 and 18.02.2020 given by the petitioner to the first and second respondents to cancel the Gift Settlement Deed which the petitioner executed to and in favour her son as per Section 23 of the Maintenance and Welfare of Parents and Senior Citizen Act, 2007.

For Petitioner : Mr.K.Saran Raj

For Respondents: Mr.D.Suriya Narayanan
Additional Government Pleader
for R1 and R2
R3 and R4- Notice returned as door locked

O R D E R

This matter is taken up for hearing through Video Conferencing mode.

2. Mr.D.Suriyanarayanan, learned Additional Government Pleader takes notice for the respondents 1 & 2.

3. This writ petition is filed for a mandamus directing the first and second respondents to consider her

representations dated 07.12.2019 and 18.02.2020 to cancel the Gift Settlement Deed executed by her to and in favour of her son as per Section 23 of the Maintenance and Welfare of Parents and Senior Citizen Act, 2007.

4. The petitioner made a complaint before the respondents 1 and 2 on 07.12.2019 and 18.02.2020 under Section 23 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 for cancellation of the Settlement Deed executed in favour of her son by name G.Kannan. The grievance of the petitioner is that the said complaint/representation has not been considered by the respondents 1 and 2 till this date.

5. When the matter was taken up for admission, notice was ordered to the respondents 3 and 4 by permitting private notice also. It seems that the private notice sent to the respondents 3 and 4 returned with an endorsement "Door Locked".

6. This Court, in any event, is not expressing any view on the merits of the claim made by the petitioner, as it is for the second respondent to consider and decide after hearing all the necessary parties. Therefore, without expressing any view on the merits of the matter, this Writ Petition is disposed of, only with a direction to the second respondent to consider the representations filed by the petitioner dated 07.12.2019 and 18.02.2020 and pass orders on the same on merits and in accordance with law, after hearing the petitioner as well as the respondents 3 and 4 and other interested parties, if any. Such exercise shall be done by the second respondent within a period of four weeks from the date of receipt of a copy of this order. No costs. The connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

vri/mk

To

1.The District Collector,
Chennai District.

2.Revenue Divisional Officer,
Chennai North.

W.P.No.6823 of 2020

VSN II(CO)

GN(20/10/2020)

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