

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.08.2020

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.9405 of 2020

Mariappan
S/o.Late Poonjolai
D.No.7/353, Moondasupuravadai
A.Jettihalli Post
Nallampalli Taluk
Dharmapuri District.

... Petitioner

vs

1. The District Collector,
Dharmapuri, Dharmapuri District.
2. The Revenue Divisional Officer,
Revenue Divisional Officer,
Dharmapuri District.
3. Periyannan,
S/o.Mariappan,
Adhiyaman Kottai Main Road,
Adhiyaman Kottai Village, Nallampalli Taluk,
Dharmapuri District.
4. Elango,
S/o.Mariappan
D.No.7/116, Elagiriyan Kottai, A.Jettihalli Post,
Nallampalli Taluk, Dharmapuri District.
5. Rajkumar
S/o.Mariappan
No.7/107E4, Mundasipuravadai
A.Jettihalli Post
Dharmapuri District.

... Respondents

Prayer:

Writ Petition filed under Article 226 of the Constitution of India praying to issue Writ of mandamus directing the 2nd respondent to conduct enquiry under the provision of "THE MAINTENANCE AND WELFARE OF PARENTS AND SENIOR CITIZENS ACT, 2007" for cancellation of settlement deeds registered as Document Nos.1481/2020, 1482/2020, 1520/2020 and 1521/2020 on

the basis of the petitioner's representation dated 08.06.2020 within the time.

For Petitioner	:	Mr.V.Sakkarapani
For Respondents	:	Mr.M.D.Ilayaraja
		Government Advocate
		for R1 & R2
		Mr.J.Raja Rao, for R3
		Mr.C.Umashankar, for R4
		Mr.K.Balasubramaniam, for R5

O R D E R

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

2. This writ petition is filed seeking for mandamus directing the second respondent to conduct enquiry under the provision of "The Maintenance and Welfare of Parents and Senior Citizens Act, 2007" for cancellation of settlement deeds registered as Document Nos.1481/2020, 1482/2020, 1520/2020 and 1521/2020, based on the petitioner's representation dated 08.06.2020.

3. Heard the learned counsel for the petitioner and the learned Government Advocate for the respondents 1 & 2 and the learned counsels appearing for the respondents 3 to 5.

4. The petitioner is the father of the respondents 3 to 5. He has approached the second respondent and filed a petition under the Maintenance and Welfare of Parents and Senior Citizens Act 2007, wherein and whereby, he sought for cancellation of settlement deeds which was registered as Document Nos.1481/2020, 1482/2020, 1520/2020 and 1521/2020. The said representation was made on 08.06.2020. The grievance of the petitioner is that the second respondent has not conducted any enquiry so far, based on the petitioner's representation.

5. This Court, at this stage, is not expressing any view on the merits of the claim made by the respective parties, as it is for the concerned authority under the said Act to consider the representation of the petitioner and pass orders on the same on merits and in accordance with law. Therefore, without expressing any view on the merits of the matter, the second respondent is directed to consider the representation of the petitioner dated 08.06.2020 and pass orders on the same on merits and in accordance with law, after hearing the petitioner, the respondents 3 to 5 and other interested parties, if any. It is open to the respective parties to raise all the contentions before the concerned authority by way of their pleadings. Such

exercise shall be done by the second respondent within a period of eight weeks from the date of receipt of a copy of this order.

6. Accordingly, this Writ Petition is disposed of. No costs.

-s/d-

Assistant Registrar (CS-I)

True Copy

Sub-Assistant Registrar

To

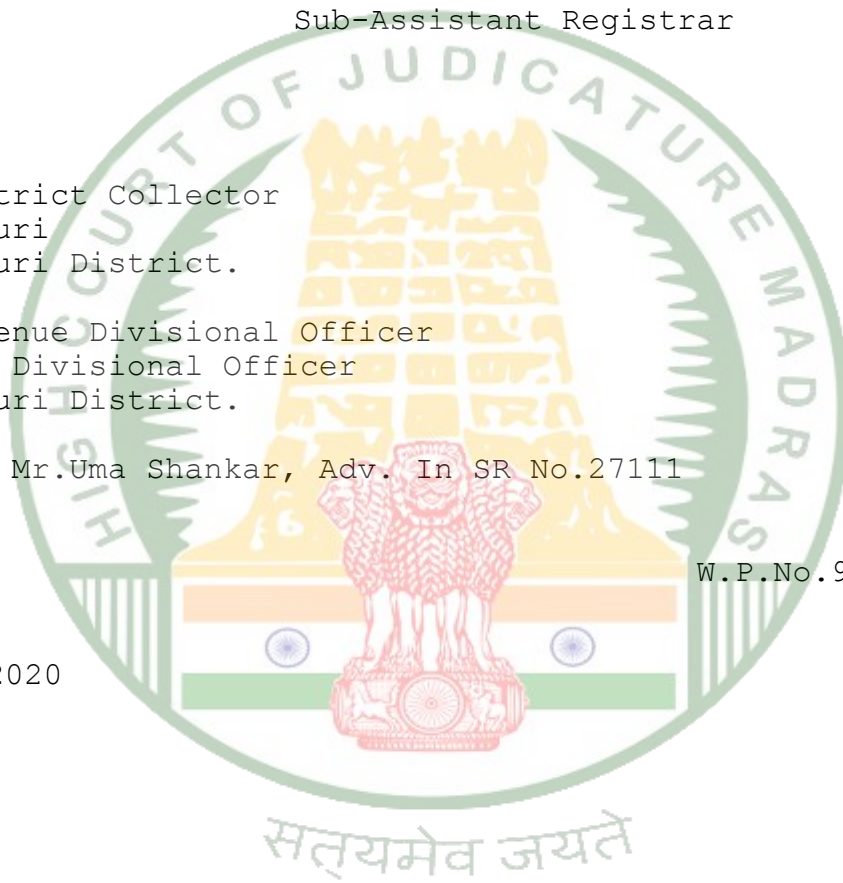
1. The District Collector
Dharmapuri
Dharmapuri District.

2. The Revenue Divisional Officer
Revenue Divisional Officer
Dharmapuri District.

+1CC to Mr. Uma Shankar, Adv. In SR No.27111

W.P.No.9405 of 2020

SKS (SO)
RV 26/08/2020



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