

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.11.2020

CORAM

THE HONOURABLE Mrs. JUSTICE PUSHPA SATHYANARAYANA

W.P.No.15605 of 2020
(Heard through VC)

G.Jayaraman

..Petitioner

Vs.

1. The District Collector,
Kallakurichi Collector Office,
Kesavalu Nagar, VOC Nagar,
Kallakurichi District.
2. The Revenue Divisional Officer,
Revenue Divisional Office,
Thirukovilur.
3. The Sub Registrar,
Elavanasur,
Cuddalore Road,
Kallakurichi.
4. J.Ramesh
5. J.Babu
6. J.Rajesh

...Respondents

PRAYER: Writ Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the 2nd respondent to consider petitioner's representation dated 06.07.2020 (to conduct an enquiry and to take appropriate action against the son's under Senior Citizenship Act to cancel the registered settlement deed vide Nos.1640/2019, 1642/2019, 1643/2019 dated 16.05.2019).

For Petitioner : Mr.D.Padmanabhan

For RR1 to 3 : Mr.V.Shanmugasundar
Special Government Pleader

O R D E R

By consent of the parties, the writ petition is taken up for final disposal at the admission stage itself.

2. This writ petition is filed for a mandamus seeking a direction to the second respondent to consider petitioner's representation dated 06.07.2020.

3. The petitioner is a farmer aged about 70 years. He settled all his properties in favour of his three sons through registered settlement deeds in the year 2019. The grievance of the petitioner is that, after getting the properties from the petitioner, his three sons were not even providing essential or adequate food and medical expenses. The petitioner was not in a position to work due to age ailment. Hence, he made a representation dated 06.07.2020 to the second respondent to conduct an enquiry and to take appropriate action against his sons and to cancel the settlement deeds. But the authorities neither called the petitioner's sons for an enquiry nor passed any order for cancelling the settlement deeds. Hence, this writ petition.

4. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

5. Considering the facts and circumstances of the case and the submissions made on either side, this Court, without expressing any opinion on the merits of the case, directs the second respondent to consider petitioner's representation dated 06.07.2020, enquire into the same and pass appropriate orders, on merits and in accordance with law, after issuing notice to the petitioner, as well as the respondent Nos.4 to 6 herein and by affording them an opportunity of personal hearing or virtual hearing or otherwise, considering their written objections and after verifying the relevant documents, within a period of six weeks from the date of receipt of a copy of this order.

6. With the above directions, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-IV)

// True Copy//

Sub Assistant Registrar

rsi

To

1.The District Collector,
Kallakurichi Collector Office,
Kesavalu Nagar, VOC Nagar,
Kallakurichi District.

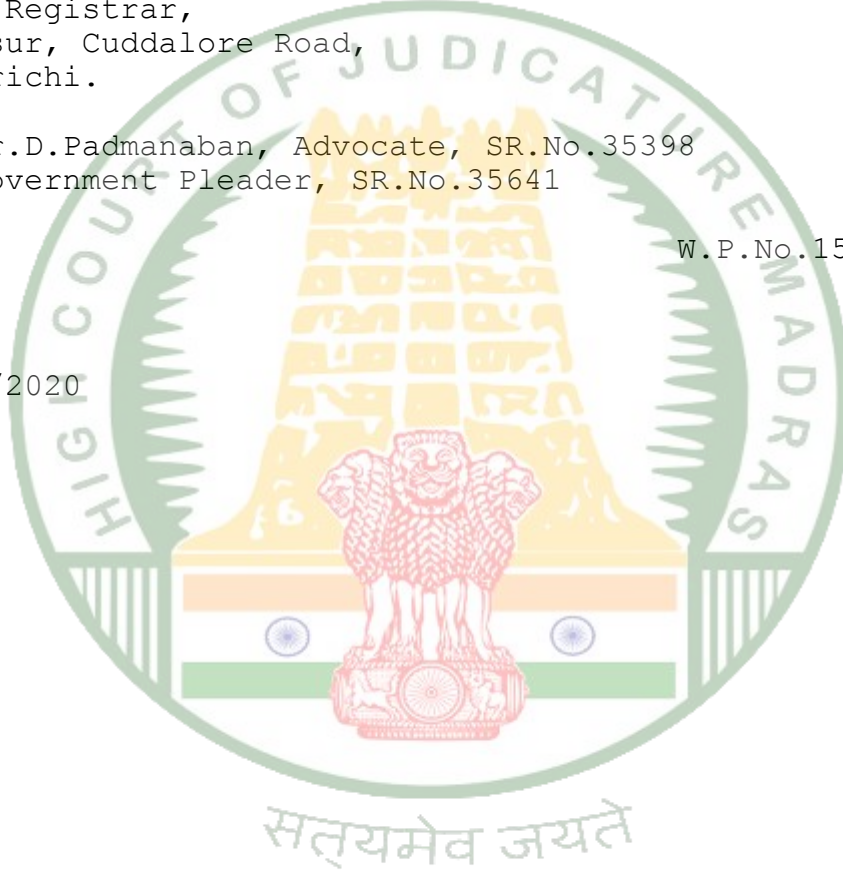
2.The Revenue Divisional Officer,
Revenue Divisional Office,
Thirukovilur.

3.The Sub Registrar,
Elavanasur, Cuddalore Road,
Kallakurichi.

+1cc to Mr.D.Padmanaban, Advocate, SR.No.35398
+1cc to Government Pleader, SR.No.35641

W.P.No.15605 of 2020

LN(CO)
KKV/11/12/2020



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