



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 17..06..2021

CORAM

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition No.6933 of 2021

K.Subramani

... Petitioner

-Versus-

1.The District Collector,
Tiruvannamalai District,
Tiruvannamalai.

2.The Revenue Divisional Officer,
Chettupattu Taluk,
Tiruvannamalai District.

3.The District Registrar,
Tiruvannamalai,
Tiruvannamalai District.

4.The District Sub-Registrar,
Chettupattu,
Tiruvannamalai District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the respondents 3 and 4 to cancel the settlement deed executed in favour of the petitioner's grand daughter and registered on the file of the Sub Registrar, Chettupattu as Doc.No.1090/2016 dated 24.06.2016.

For Petitioner : Mr.A.Saravanan

For Respondent(s) : Mr.Yogesh Kannadasan, GA
for RR1 to 4

ORDER

[This matter has been heard through video conference]

This writ petition has been filed seeking a direction to the respondents 3 and 4 to cancel the settlement deed executed in favour of the petitioner's grand daughter and registered on the file of the Sub Registrar, Chettupattu as Doc.No.1090/2016 dated 24.06.2016.



2. The petitioner claims to be a senior citizen, aged 75 years. According to the petitioner, he was the absolute owner of the landed property measuring an extent of 1 Acre and 71 cents comprised in S.No.33/1 (0.35 Acre), S.No.33/1 (0.31 Acres), S.No.34/3B (0.27 Acres) and S.No.172/B1 (0.78 Acres). He had settled the above mentioned properties in the name of his grand daughter through a registered settlement deed dated 24.06.2016 with a fond hope that she would take care of him and his wife. But, soon after the settlement of the property, his grand daughter did not take care of him and his wife. In those circumstances, he submitted an application to the 2nd respondent under Section 23 of The Maintenance and Welfare of Parents and Senior Citizens Act, 2007 (Central Act 56 of 2007) seeking to declare the transfer of property made in favour the grand daughter by way of settlement deed as void. Now, the grievance of the petitioner is that though the application was made on 23.11.2019, so far no order has been passed by the 2nd respondent. Hence, this writ petition.

3. Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents 1 to 4 and also perused the records carefully.

4. Considering the limited nature of relief sought for in this writ petition, without going into the merits of the case, this court directs the 2nd respondent to consider the application dated 23.11.2019 submitted by the petitioner seeking to declare the settlement deed dated 24.06.2016 executed by him in favour of his grand daughter as void in terms of Section 23 of The Maintenance and Welfare of Parents and Senior Citizens Act, 2007 (Central Act 56 of 2007) after hearing the petitioner as well as the other interested person(s) and pass appropriate orders within a period of six weeks from the date of receipt of a copy of this order. This writ petition is disposed of accordingly with the above directions. No costs.

Sd/-

Assistant Registrar(CS-V)

//True Copy//

Sub Assistant Registrar

kmk

To

1.The District Collector,
Tiruvannamalai District,
Tiruvannamalai.



2.The Revenue Divisional Officer,
Chettupattu Taluk,
Tiruvannamalai District.

3.The District Registrar,
Tiruvannamalai,
Tiruvannamalai District.

4.The District Sub-Registrar,
Chettupattu, Tiruvannamalai District.

+1cc to Mr.A.Saravanan, Advocate, S.R.No.28554
+1cc to the Government Pleader, S.R.No.28431

Writ Petition No.6933 of 2021

PL(CO)
CB(19/07/2021)