



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 20.10.2021
CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P. No. 20546 of 2021
and
WMP. No. 21781 of 2021

R. Balan

.. Petitioner

Versus

1. The District Collector
Collectorate, Ranipet
Ranipet District.
2. The District Revenue Officer
Collectorate, Ranipet
Ranipet District
3. The Revenue Divisional Officer
Arakkonam, Arakkonam taluk
Ranipet District
4. The Joint sub Registrar - 1
Arakkonam, Arakkonam Taluk
Ranipet District
5. B.Karunakaran

... Respondents

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the third respondent to cancel settlement deed dated 13.06.2018 in document No.1965/2018, executed by the petitioner in favour of 5th respondent, registered on the file of fourth respondent, based upon the petitioner's representation dated 08.09.2021.

For Petitioner	:	Mr. A. Gouthaman
For R1 to R4	:	Mr. Stalin Abhimanyu, Government Counsel
For R5	:	No appearance

ORDER

The prayer made in this writ petition is to direct the third respondent to consider the petitioner's representation dated 08.09.2021 requesting to cancel the settlement deed dated 13.06.2018 executed by him in favour of fifth respondent.

2. According to the petitioner, he retired from his



service and his wife died on 02.07.2016. After death of his wife, his two daughters and elder son were given in marriage. The elder son of the petitioner married a scheduled caste woman and in view of the same, there was misunderstanding between him and his elder son. While so, his younger son, the fifth respondent insisted the petitioner to execute a settlement deed in respect of the property standing in his name. The petitioner also executed a Settlement Deed dated 13.06.2018 vide document No.1965/2018 in favour of the fifth respondent. However, after execution of settlement deed, the fifth respondent failed and neglected to take care of the petitioner and to provide him basic needs. Therefore, the petitioner made a representation dated 08.09.2021 to the respondents 1 to 3 under Section 23 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, seeking to cancel the settlement deed. However, the said representation has not been considered till date. Hence, this writ petition.

3. Heard the learned counsel for the petitioner as well as the learned Government Counsel for the respondents 1 to 4. Despite service of notice and the name of the fifth respondent has been printed in the cause list, there is no representation on his behalf.

4. Considering the limited relief sought for in this writ petition, this Court directs the third respondent herein to consider the representation of the petitioner dated 08.09.2021 and pass appropriate orders, on merits and in accordance with law, after affording an opportunity of personal hearing to the petitioner as well as the fifth respondent. Such an exercise shall be completed within a period four weeks from the date of receipt of a copy of this order.

5. This Writ Petition is disposed of with the above direction. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

av/rsh

To

1. The District Collector,
Collectorate, Ranipet,
Ranipet District.



2. The District Revenue Officer,
Collectorate, Ranipet,
Ranipet District.

3. The Revenue Divisional Officer,
Arakkonam, Arakkonam taluk,
Ranipet District.

4. The Joint sub Registrar - 1,
Arakkonam, Arakkonam Taluk,
Ranipet District.

+1 cc to Mr.A. Gouthaman, Advocate Sr.NO. 53802

+1 cc to Government Pleader Sr.NO. 53912

WP No. 20546 of 2021

PA(CO)

A.SK(22.11.2021)