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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.12.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.25500 of 2021

Sakthivel

... Petitioner

Vs.

1.The District collector,  
Kallakurichi,  
Kallakurichi District.

2. The District Social Welfare Officer,  
Office of the District Social Welfare,  
Villupuram District.

3. The Sub-Collector/Revenue Divisional Officer,  
Revenue Division,  
Kallakurichi,  
Kallakurichi district.

4. The Revenue Tahsildar,  
Kallakurichi Taluk,  
Kallakurichi District.

5. Subramanian

6. Thavamani

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the second respondent to dispose the appeal filed by the petitioner in Na.Ka.No.12/2052/2020 dated 04.01.2021.

For Petitioner : Mr.K.Balu

For Respondents: Mr.K.Karthikeyan      R1 to R4  
Government Advocate  
No appearance      R5 & R6



## O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the second respondent to dispose the appeal filed by the petitioner in Na.Ka.No.12/2052/2020 dated 04.01.2021.

2. The facts of the case are as follows:

The petitioner is the 4th son of the respondents 5 & 6 and the petitioner had four brothers. The respondents 5 & 6 have partitioned their property to their sons by way of settlement deed and the same was registered in document No.254 of 2021 dated 21.02.2019.

3. In the meanwhile, the petitioner's father gave a complaint to the 4th respondent to restore the said properties as their sons are not taking care of them. The said complaint was registered in Na.Ka.No.A6/1659/2020 dated 12.10.2020 under the Maintenance and Welfare of Parent and Senior Citizens Act, 2007 and the same was forwarded to the 3rd respondent. On 07.11.2020, the 3rd respondent cancelled all the settlement deed in favour of all the sons of the respondents 5 & 6 and restored all the properties in the name of them. Thereafter, on 30.12.2020, the petitioner filed an appeal before the first respondent challenging the order of the 3rd respondent. Till date, the appeal is pending without any progress. Therefore, the petitioner filed the present writ petition before this Court.

4. The learned counsel for the petitioner submitted that this Court may issue a direction to the respondents to dispose of the appeal filed by the petitioner within the stipulated time as fixed by this Court.

5. The learned Government Advocate submitted that the petitioner's appeal will be considered in accordance with law within the time stipulated.

6. Considering the facts and circumstances of the case and in view of the aforesaid submissions, this Court directs the respondents to consider the petitioner's appeal on merits and in accordance with law and pass appropriate orders, within a period of twelve weeks from the date of receipt of a copy of this order, after affording opportunity to both the parties.



7. With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS-VII)

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// True Copy //

Sub Assistant Registrar

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To

1.The District collector,  
Kallakurichi,  
Kallakurichi District.

2. The District Social Welfare Officer,  
Office of the District Social Welfare,  
Villupuram District.

3. The Sub-Collector/Revenue Divisional Officer,  
Revenue Division,  
Kallakurichi,  
Kallakurichi district.

4. The Revenue Tahsildar,  
Kallakurichi Taluk,  
Kallakurichi District.

+1cc to Mr.K.Balu, Advocate SR.No.62426  
+1cc to the Government Pleader, SR.No.62986

W.P.No.25500 of 2021

JPL(CO)  
CB(13/12/2021)