



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.07.2021

CORAM :

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) .No.11264 of 2021

K.Sornam

... Petitioner

Vs.

1. The District Collector,
Madurai District, Madurai-625 020.

2. The Revenue Divisional Officer /
Tribunal under Maintenance and Welfare
of Parents and Senior Citizens Act,
Melur @ Vallaripatti, Madurai-625 122.

3. K.Senthilkumar

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the second respondent to take action on the petitioner's complaint dated 08.02.2021 (Which has been forwarded by the Revenue Divisional Officer, Madurai) in the letter O.Mu.No.736/2021/J, dated 15.02.2021) under Section 23(1) of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 and declare the fraudulent Gift Settlement Deed No.10134/2012, dated 24.12.2012 got executed in favour of the third respondent as null and void and to retrieve and return the two house sites measuring 5 $\frac{1}{4}$ and 3 cents situated in Survey No.189/2C1B and 189/2C1C, respectively at Anuppanadi Village in Madurai South Taluk, Madurai District, 10 sovereign gold jewels and money of Rs.29,51,00/- to the petitioner within a time limit to be fixed by this Court.

For Petitioner

: Mr.G.Rajaguru

For R-1 & R-2

: Mr.R.Sureshkumar,
Government Advocate

ORDER

This Writ Petition has been filed for the issue of a Writ of Mandamus directing the second respondent to enquire on the complaint made by the petitioner on 08.02.2021 under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 (hereinafter referred to as "the Act").



2. Heard Mr.G.Rajaguru, learned counsel appearing for the petitioner and Mr.R.Sureshkumar, learned Government counsel appearing on behalf of the respondents 1 and 2.

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3. The petitioner has given a complaint against the third respondent, who is her son. According to the petitioner, the third respondent had made the petitioner execute the documents and he has taken away all the assets belonging to the petitioner and the petitioner has been left in the streets. Therefore, the petitioner made a complaint before the second respondent on 08.02.2021 requesting for taking action under the Act. Since the same was not considered, the present Writ Petition has been filed before this Court seeking for appropriate directions.

4. Taking into consideration the facts and circumstances of the case and the limited relief sought for in this Writ Petition, there shall be a direction to the second respondent to act upon the complaint given by the petitioner on 08.02.2021 and deal with the same on its own merits and in accordance with the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 and pass appropriate orders within a period of six weeks from the date of receipt of a copy of this order. The second respondent shall afford opportunity to the petitioner and the third respondent before passing orders.

5. This Writ Petition stands disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (CS II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Tsg

NOTE: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



To

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+1 CC to M/s.SPL GP (SR-21693[F] dated 08/07/2021)

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MGJ(14.07.2021) 3P 4C