



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.06.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.14537 of 2022

S.Neela

...Petitioner

Vs.

1. The District Collector,
Chengalpattu District.
2. The Revenue Divisional Officer,
Chengalpattu District.
3. Shanthi

...Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the 2nd respondent to pass final order in the petitioner complaint dated 27.09.2021 within the time stipulated by this Hon'ble Court.

For Petitioner : Mr.R.Cauveri Selvan

For Respondents R1 & R2 : Ms.Akila Rajendran, GA

O R D E R

The petitioner has filed this writ petition seeking issuance of a Writ of Mandamus to direct the 2nd respondent to consider the petitioner's complaint dated 27.09.2021 and pass orders on the same as early as possible.

2. Learned Government Advocate takes notice on behalf of the 1st and 2nd respondents. In view of the consent expressed by the learned counsel on either side, this petition is taken up for final hearing.

3. Since, no adverse order is being passed against the private respondent, notice to the private respondent is dispensed with.

4. The case of the petitioner is that, she is the owner of the land and building comprised in Old Grama Natham Survey No.5/1B1, New Grama Natham Survey No.5/1B1E, situated at 6/87,



Jahir Hussain Street, Pareri Village, Chngalpattu Taluk and Chengalpattu District and the same was purchased by her in the year 1979, out of her own earning. Thereafter, she put up a construction by using her son's money. Whiles, since, the original sale deed pertaining to the subject property was partly destroyed in a fire accident happened in their house, the 3rd respondent / daughter of the petitioner, cunningly obtained the petitioner's signature, stating that it is nothing but the procedure to get a fresh sale deed and she fraudulently obtained settlement deed from the petitioner in respect of the subject property. Immediately thereafter, the petitioner preferred complaints dated 06.09.2022 and 27.09.2021 before the 1st and 2nd respondent respectively, under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007. Pursuant to the communication dated 27.10.2021 of the 2nd respondent on receipt of the petitioner's complaint, the Tahsildar conducted enquiry and submitted the report before the 2nd respondent. However, till date, no orders have been passed by the 2nd respondent on the petitioner's complaint. Hence, this Writ petition.

5. Though very many grounds have been raised, learned counsel for the petitioner submitted that, it would suffice, if this Court issues direction to the 2nd respondent to consider the petitioner's complaint dated 27.09.2021 in the light of the report submitted by the Tahsildar and pass appropriate orders in accordance with law as early as possible.

6. Learned Government Advocate appearing on behalf of the 1st and 2nd respondents submitted that, the petitioners complaints dated 06.09.2021 and 27.09.2021 made under Maintenance and Welfare of Parents and Senior Citizens Act, 2007 will be considered and appropriate orders will be passed on merits within the time that may be stipulated by this Court.

7. In view of the above submission, this Court without expressing any opinion on the merits of the case, issues direction to the 2nd respondent to consider the petitioner's complaint dated 27.09.2021 on merits and pass appropriate orders in accordance with law within a period of eight weeks from the date of receipt of a copy of this order, after affording opportunity of personal hearing to the petitioner as well as the private respondents.

8. Accordingly, this writ petition is disposed of. No costs.
Sd/-

Assistant Registrar(CS-IV)

//True Copy//

Sub Assistant Registrar



skt

To

1. The District Collector,
Chengalpattu District.

2. The Revenue Divisional Officer,
Chengalpattu District.

+lcc to Mr.R.Cauveri Selvan, Advocate, S.R.No.34487

+lcc to the Government Pleader, S.R.No.35519

W.P.No.14537 of 2022

SV(CO)
SB(06/07/2022)