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W.P. No.17562 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.07.2022

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P. No.17562 of 2022

C.Supramani

...Petitioner

vs.

1.The District Collector,
Thiruvallur District.

2.The Revenue Divisional Officer (RDO),
Senior Citizen Maintenance and Welfare Tribunal,
The Sub Divisional Magistrate,
Thiruvallur, Thiruvallur District.

3.J.Sumathi

4.D.Thamarai Selvi

5.G.Rajeswari

6.M.Bakiyavathi

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 and 2 to consider the representation of the petitioner dated 20.05.2022 under Section 23 of the Maintenance and welfare of parents and senior citizen Act 2007 and further directing them to cancel the settlement deeds dated On 23.02.2012 vide Document No.1804 of 2012 executed by the petitioner in favour of the 3rd to 6th respondents.



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For petitioner : Mr.S.Ramajayam
For respondents : Mr.T.Seenivasan
Special Government Pleader
for R1 and R2

R3 to R6 - Dispensed with

ORDER

By consent of both parties, this Writ Petition is taken up for final disposal at the admission stage itself.

2. This writ petition has been filed for a Mandamus seeking for a direction to the respondents 1 and 2 to consider the petitioner's application dated 20.05.2022 filed under Section 23 of the Maintenance and Welfare of Parents and Senior Citizens Act as against the respondents 3 to 6 seeking for cancellation of the Settlement Deed dated 23.02.2012 registered as Document No.1804 of 2012 and pass final orders, within a time frame to be fixed by this Court.

3. The petitioner is a Senior Citizen, aged 82 years. He has executed a Settlement Deed in favour of his Children viz., 3 to 6 respondents on 23.12.2012 registered as Document No.1804 of 2012. Since the respondent Nos.3 to 6 have not maintained him despite the execution of the Settlement Deed, he has filed an application on



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20.05.2022 under Section 23 of the Maintenance and Welfare of Parents and Senior Citizens Act seeking for cancellation of the aforementioned Settlement Deed. Since the application has not been processed till date, the petitioner has filed this writ petition seeking for early disposal of his application filed under the Maintenance and Welfare of Parents and Senior Citizens Act.

4. Heard Mr.S.Ramajayam, learned counsel for the petitioner and Mr.T.Seenivasan, learned Special Government Pleader accepts notice for the respondents 1 & 2. Since no adverse orders are passed against the respondents 3 to 6, notice to the respondents 3 to 6 is dispensed with.

5. No prejudice will be caused to the respondents, if the petitioner's application dated 20.05.2022 filed under Section 23 of the Maintenance and Welfare of Parents and Senior Citizens Act is directed to be disposed of by the 2nd respondent, within a time frame to be fixed by this Court after affording a fair hearing to the petitioner and the respondents 3 to 6.

6. For the foregoing reasons, this Court directs the 2nd respondent to pass final orders on the petitioner's application dated 20.05.2022 filed



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under Section 23 of the Maintenance and Welfare of Parents and Senior Citizens Act seeking for cancellation of the Settlement Deed, dated 23.02.2012 registered as document No.1804 of 2012, within a period of twelve weeks from the date of receipt of a copy of this order after affording a fair hearing to the petitioner and the respondents 3 to 6 including granting them the right of personal hearing.

7. With the aforesaid direction, this writ petition stands disposed of. No costs.

12.07.2022

Index: Yes/No
Internet: Yes/No
Speaking Order/Non-Speaking Order
vsi2



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ABDUL QUDDHOSE, J.

vsi2

To

1.The District Collector,
Thiruvallur District.

2.The Revenue Divisional Officer (RDO),
Senior Citizen Maintenance and Welfare Tribunal,
The Sub Divisional Magistrate,
Thiruvallur, Thiruvallur District.

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