



WEB COPY



W.P.No.16931 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.07.2022

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.16931 of 2022

M.Sathya Neelavathy

... Petitioner

Versus

1. Revenue Divisional Officer,
Ambathur Division,
Padikuppam Road,
Anna Nagar West Extension,
Chennai – 600 101.

2. District Collector,
Chennai District,
Chennai-600 001

.. Respondents

Petition filed under Article 226 of the Constitution of India praying to issue Writ of Mandamus directing the first respondent to pass appropriate orders on the petitioner's application dated 13.12.2021 filed under Maintenance and Welfare of Parents and Senior Citizens Act, 2007 seeking for cancellation of Registered Deed of Settlement dated 22.08.2011, registered as Document No.7708 of 2011, SRO -Ambathur within a time frame to be fixed by this Court.

For Petitioner : Mr.Navaneetha Krishnan

For Respondents : Mr.TN.Rajangam
Govt. Advocate



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ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the first respondent to pass appropriate orders in the petitioner's application dated 13.12.2021 filed under Maintenance and Welfare of Parents and Senior Citizens Act, 2007, seeking for cancellation of the Registered Deed of Settlement dated 22.08.2011, registered as Document No.7708 of 2011, Sub Registrar Office, Ambathur within a time frame to be fixed by this Court.

2. Heard the learned counsel for the petitioner and the learned Government Advocate appearing for the respondents. By consent of both the parties, this writ petition has been taken up for final disposal at the admission stage itself.

3. The petitioner is a senior citizen. She had executed a settlement deed dated 22.08.2011 in favour of her children. According to the petitioner, since the children have not maintained her, the settlement deed has to be cancelled. The petitioner has filed an application dated 13.12.2021. Since the application has not been considered till date, the petitioner has filed the writ petition.

4. No prejudice would be caused to the respondents and the opposite parties if the application of the petitioner dated 13.12.2021 filed under Maintenance and Welfare of Parents and Senior Citizens Act, 2007, is considered and final order is



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passed by the first respondent after affording a fair hearing to the petitioner and her children in the enquiry proceedings.

5. For the foregoing reasons, this Court directs the first respondent to pass final order on the petitioner's application dated 13.12.2021, filed under Maintenance and Welfare of Parents and Senior Citizens Act, 2007 against her children viz., Mrs. Shankari and Mr. Kamalakannan, seeking for cancellation of the Settlement deed dated 22.08.2011, registered as Document No. 7708 of 2011 at SRO, Ambathur, on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order after affording a fair hearing to the petitioner as well as her children viz., Mrs. Shankari and Mr. Kamalakannan and any other parties whom the first respondent deems it fit to enquire including granting them the right of personal hearing.

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

05.07.2022

sr
Index: Yes/No
Speaking Order/Non-Speaking Order

ABDUL QUDDHOSE, J



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To

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