



W.P.No.26345 of 2022

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 30.09.2022**

**CORAM :**

**THE HONOURABLE MR.JUSTICE R.SURESH KUMAR**

**Writ Petition No.26345 of 2022**

P.Neelammal

.... Petitioner

-Vs-

- 1.The District Collector  
Perambalur District  
Perambalur 621 212.
- 2.The Revenue Divisional Officer  
Perambalur RDO Office  
Super Nagar, Perambalur-621 212.
- 3.The Sub Registrar  
Maharasa Road  
Super Nagar, Perambalur District  
Perambalur – 621 212.
- 4.D.Vellayammal

.... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the 1<sup>st</sup> respondent herein to consider the petitioner's representation / appeal dated 20.01.2022 to cancel the settlement deed number 83 of 1990 dated 22.01.1990 registered before the 3<sup>rd</sup> respondent within the stipulated time fixed by this Hon'ble Court.

For Petitioner : Mr. N.Vijayaraj  
For Respondents : Mr.R.Kumaravel  
Additional Government Pleader – for R1  
Mrs.N.Senthil Selvi  
Government Advocate – for RR 2 & 3  
Notice dispensed with – for R4



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**ORDER**

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The prayer sought for herein is for a Writ of Mandamus directing the 1<sup>st</sup> respondent herein to consider the petitioner's representation / appeal dated 20.01.2022 to cancel the settlement deed number 83 of 1990 dated 22.01.1990 registered before the 3<sup>rd</sup> respondent within the stipulated time fixed by this Court.

2. On the petition submitted by the fourth respondent under the provisions of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, orders were passed by the Revenue Divisional Officer on 12.01.2022 against the petitioner, as against which she filed an appeal before the first respondent on 20.01.2022, and the said appeal is still pending. Therefore, in order to decide the said appeal at the earliest and pass orders thereon, the petitioner seeks a direction by way of Mandamus in this writ petition.

3. Heard Mr.R.Kumaravel, learned Additional Government Pleader appearing for the first respondent and Ms.N.Senthil Selvi, learned Government Advocate appearing for respondents 2 and 3. In view of the orders that are going to be passed in this writ petition, notice to the fourth respondent is dispensed with.



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4. Since the appeal is pending from January 2022, this Court feels that a direction can be given to the first respondent / appellate authority to decide the appeal on merits after giving notice to the petitioner as well as the fourth respondent within a time frame that may be stipulated by this Court.

5. In that view of the matter, this Court is inclined to dispose of this writ petition with the following order.

“There shall be a direction to the first respondent to decide the appeal dated 20.01.2022 filed by the petitioner under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 after giving due opportunity of hearing to both the petitioner as well as the fourth respondent and decide the same by passing final orders within a period of eight weeks from the date of receipt of a copy of this order.”

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

**30.09.2022**

Index : Yes/No  
Internet : Yes/No  
KST



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To

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**R. SURESH KUMAR, J.**

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