



W.P.No.31507 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.11.2022

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

Writ Petition No.31507 of 2022

C.Jagadambal

.... Petitioner

-Vs-

1.The District Collector
Tiruvallur District.

2.C.Natarajan

3.C.Sekar

.... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus to direct the 1st respondent to dispose of the petitioner's representation dated 11.10.2022 within a time frame that may be stipulated by this Hon'ble Court.

For Petitioner : Mr.R.Karunakaran
For Respondents : Mr.N.Naveen Kumar
Government Advocate – for R1

ORDER

The prayer sought for herein is for a Writ of Mandamus to direct the 1st respondent to dispose of the petitioner's representation dated 11.10.2022 within a time frame that may be stipulated by this Court.



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2. The petitioner being a senior citizen has made an application under Sections 4 and 23 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 (In short 'the Act') to cancel the settlement deed of the year 2021 made in favour of the respondents 2 and 3 to the first respondent / District Collector on 11.10.2022. In order to consider the same and decide the said application submitted by the petitioner, the present writ petition has been moved by the petitioner.

3. Heard Mr.R.Karunagaran, learned counsel for the petitioner and Mr.N.Naveen Kumar, learned Government Advocate. In view of the order that is going to be passed in this writ petition, notice to the private respondents is hereby dispensed with.

4. Learned Government Advocate for the first respondent would submit that, under the provisions of the Act a Tribunal has been constituted under which the concerned Revenue Divisional Officer (RDO), would act as the tribunal, before whom the said application should be filed by the senior citizen.

5. Having heard the learned counsel for both sides and taking into consideration the facts and circumstances of the case, this Court is inclined to dispose of this writ petition with the following order.



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“That there shall be a direction to the first respondent / District Collector to forward the petitioner's application submitted on 11.10.2022 under the provisions of the Act to the concerned RDO, who, on receipt of the same shall decide the said application of the petitioner, after giving an opportunity of being heard to both the petitioner as well as the private respondents herein within a period of six weeks from the date of receipt of a copy of this order.”

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

25.11.2022

Index : Yes/No
Internet : Yes/No
KST

To

The District Collector
Tiruvallur District.



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R. SURESH KUMAR, J.

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