



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **31.03.2022**

CORAM:

THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**

W.P.[MD]No.5882 of 2022

WEB COPY

Pakiyam

... Petitioner

/Vs./

1. The District Collector,
Collectorate,
Pudukottai District.
2. The District Social Welfare Officer,
District Social Welfare Officer,
Collectorate,
Pudukkottai District.
3. The District Revenue Officer,
District Revenue Office,
Collectorate,
Pudukkottai District.
4. The Revenue Divisional Officer,
Pudukkottai,
Pudukkottai District.
5. A.Jeyaraman

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the Respondents 1 to 4 to consider the representation of the petitioner dated 06.02.2022 within stipulated time as may be fixed by this Court.

For Petitioner : Mr.K.C.Maniyarasu

For Respondents : Mr.M.Lingadurai
Special Government Pleader
for R1 to R4

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the respondents 1 to 4 to consider the petitioner's representation dated 06.02.2022 seeking for cancellation of the gift deed executed by her in favour of the fifth respondent, who is her son dated 22.01.2018 and pass final orders, within a time frame to be fixed by this Court.



2.The case of the petitioner is that the fifth respondent is her son, in whose favour she had executed a gift deed dated 22.01.2018. According to the petitioner, the fifth respondent failed to maintain her and in such circumstances, she has submitted a representation on 06.02.2022 filed under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 with the second respondent requesting for cancellation of the gift deed dated 22.01.2018. Since no final orders have been passed till date on the petitioner's representation, the petitioner has filed this writ petition.

3.Heard Mr.K.C.Maniyarasu, learned counsel appearing for the petitioner and Mr.M.Lingadurai, learned Special Government Pleader, who accepts notice on behalf of the respondents 1 to 4.

4.No prejudice would be caused to the respondents, if the petitioner's representation filed under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 is considered on merits and in accordance with law, after affording a fair hearing to the petitioner and the fifth respondent, as well as any other necessary party, whom the fourth respondent deems fit to enquire.

5.For the foregoing reasons, this Court directs the fourth respondent to consider the petitioner's representation dated 06.02.2022, seeking for cancellation of the gift deed executed by her in favour of the fifth respondent, who is her son dated 22.01.2018 and pass final orders on merits and in accordance with law, after affording a fair hearing to the petitioner and the fifth respondent, as well as any other necessary party, whom the fourth respondent deems fit to enquire, within a period of four [4] months from the date of receipt of a copy of this order.

6.With the above direction, this Writ Petition stands disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (RTI)

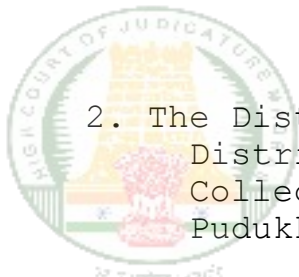
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/ /2022

Sub Assistant Registrar(CS)

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To

1. The District Collector,
Collectorate,
Pudukottai District.



2. The District Social Welfare Officer,
District Social Welfare Officer,
Collectorate,
Pudukkottai District.

3. The District Revenue Officer,
District Revenue Office,
Collectorate,
Pudukkottai District.

4. The Revenue Divisional Officer,
Pudukkottai,
Pudukkottai District.

+1 CC to M/s.K.C.MANIYARASU, Advocate (SR-15961[F] dated
01/04/2022)

+1 CC to M/s.SPL GP (SR-16098[F] dated 01/04/2022)

W.P.[MD]No.5882 of 2022

Dated:

31.03.2022

RK(08/04/2022) 3P 7C