



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.04.2022

CORAM

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P. (MD) .No.7513 of 2022

Karmegam

... Petitioner

Vs.

1.The Revenue Divisional Officer,
Sivagangai District,
Sivagangai.

2.The Sub-Registrar,
No-1, Registration Department,
Sivagangai,
Sivagangai District.

3.Kavitha

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the first respondent to consider the petitioner's application dated 01.04.2022 to cancel the gift deed dated 12.02.2021 registered with the second respondent under Document No.245 of 2021 executed by the petitioner in favour of the third respondent.

For Petitioner	:	Mr.V.Kannan
For R-1 and R-2	:	Mr.B.Saravanan, Additional Government Pleader.
For R-3	:	Mr.R.Balakrishnan

ORDER

This Writ Petition has been filed seeking for a limited relief.

2. The petitioner is a senior citizen and the third respondent is his daughter. The petitioner has executed a gift deed dated 12.02.2021 registered as Document No.245 of 2021 in favour of the third respondent. According to the petitioner, despite the execution of the gift deed, the third respondent has failed to maintain him. In such circumstances, he has submitted an application before the first respondent, seeking for cancellation of the gift deed dated 12.02.2021 executed in favour of the third respondent, under the provisions of the Senior Citizens Act. Since the said application has not been taken on record till date, the



petitioner has filed this Writ Petition.

3. Heard Mr.V.Kannan, learned counsel for the petitioner, Mr.B.Saravanan, learned Additional Government Pleader, who accepts notice on behalf of the first and second respondents and Mr.R.Balakrishnan, learned counsel, who accepts notice on behalf of the third respondent.

4. No prejudice would be caused to the respondents, if the petitioner's application is taken on file by the first respondent and final orders are passed within a time frame to be fixed by this Court after affording a fair hearing to the petitioner as well as the third respondent.

5. For the foregoing reasons, this Court directs the first respondent to consider the petitioner's application dated 01.04.2022 filed under the provisions of the Senior Citizens Act seeking to cancel the gift deed dated 12.02.2021 registered as Document No.245 of 2021 executed in favour of the third respondent on merits and in accordance with law after affording a fair hearing to the petitioner and the third respondent and pass final orders within a period of three (3) months from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Lm

To

1.The Revenue Divisional Officer,
Sivagangai District, Sivagangai.

2.The Sub-Registrar,
No-1, Registration Department,
Sivagangai, Sivagangai District.

+1 CC to M/s.V. KANNAN, Advocate (SR-20026[F] dated 21/04/2022)
+1 CC to M/s.SPL.GP. (SR-20466[F] dated 22/04/2022)

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RD(02.05.2022) 2P 5C