



WEB COPY



W.P.No.9649 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.03.2023

CORAM :

THE HONOURABLE MR. JUSTICE **M. DHANDAPANI**

W.P.No.9649 of 2023

M.S.Sugunammal @ Suguna

... Petitioner

Vs.

1. The District Collector,
District Collector Office,
Tiruvallur District.
2. The Revenue Divisional Officer,
Revenue Divisional Office,
Tiruvallur District.
3. District Social Welfare Department,
Collector Office,
Tiruvallur District.
4. Suresh
5. Meena
6. Vaishnavi

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents 1 to 3 to pass an order for cancel the settlement deeds in respect of property situated at No.6, Bharathidasan Street, Pattabiraman, Chennai – 72, pursuant to the representation dated 17.10.2022 within the time frame fixed by this Court.



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WEB COPY For Petitioner : Mr.R.Thirumoorthy
For Respondents : Mr.M.Alagu Goutham
Government Advocate

ORDER

This Writ Petition has been filed seeking for a Writ of Mandamus, to direct the respondents 1 to 3 to cancel the settlement deeds in respect of property situated at No.6, Bharathidasan Street, Pattabiraman, Chennai – 72, pursuant to the representation dated 17.10.2022 within the time frame fixed by this Court.

2. Since no adverse order is being passed against respondents 4 to 6 notice to respondents 4 to 6 is dispensed with.

3. It is the case of the petitioner that she purchased a property to an extent of 2327 sq.ft. situated in Pattabiram, Tiruvallur. Further, respondents 4 to 6 who are the petitioner's first son, daughter-in-law and grand daughter executed forged settlement deeds and transferred the said property in favour of the fifth and sixth respondents. Since the sixth respondent and her husband threatened the petitioner to vacate the subject property, the petitioner made a



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representations dated 17.10.2022 and 19.10.2022, before the first and second respondents to cancel the above said settlement deed dated 04.12.2020 and 05.05.2022 as per Section 23 of Maintenance and Welfare of Parents and Senior Citizens Act, 2008, pursuant to the said complaint dated 17.10.2022, the third respondent summoned on 03.11.2022 and an conducted enquiry on 11.11.2022. However, till date no action has been taken by the respondents 1 to 3. Hence the present writ petition.

4. Learned counsel appearing for the petitioner submitted that it would be sufficient if this Court issues a direction to the respondents 1 to 3 to conclude the proceedings of the third respondent dated 03.11.2022 and pass appropriate orders within the time frame that may be fixed by this Court.

5. Learned Government Advocate Appearing for the respondents 1 to 3 has no objection for the said order being passed.

6. Considering the facts and circumstances of the case, this Court without going into the merits of the case directs the respondents 1 to 3 to consider the petitioner's representations dated 17.10.2022 and 19.10.2022 on



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merits and in accordance with law after affording an opportunity of hearing to the petitioner as well as the respondents 4 to 6 within a period of twelve weeks from the date of receipt of a copy of this order.

7. Accordingly, this writ petition is disposed of. No costs.

29.03.2023

Index : Yes / No
Speaking order / Non speaking order
Netrual Citation Case : Yes / No
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To

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M.DHANDAPANI, J.

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