



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.02.2023

CORAM

THE HON'BLE Mr. JUSTICE **C.V.KARTHIKEYAN**

W.P.No.28084 of 2021

U.Jeeva

.. Petitioner

Vs.

1.The District Collector,
Krishnagiri.

2.The Sub-Registrar,
Hosur, Krishnagiri District.

3.U.Jagajeevan

4.The Revenue Divisional Officer,
Hosur, Krishnagiri District.
(Suo motu impleaded vide order dated
21.02.2023)

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing 1st and 2nd respondents to dispose of the petitioner's representation dated 14.12.2020 and 25.09.2021 and received by them on 15.12.2020 and 30.09.2021 respectively and direct the 1st respondent to cancel the Doc.No.12597/2013 registered in the office of the 2nd respondent by the petitioner in favour of the 3rd respondent.



For Petitioner

.. Mr.A.M.Packianathan Easter

For R1 & R2

.. Mr.S.J.Mohammed Sathik,
Government Advocate**ORDER**

This writ petition has been filed in the nature of a Mandamus seeking a direction to the 1st and 2nd respondents namely, the District Collector, Krishnagiri and the Sub-Registrar, Hosur, Krishnagiri District, to dispose of the representation given by the petitioner on 14.12.2020 and again on 25.09.2021 and for a further direction to the 1st respondent to cancel the Settlement Deed executed by the petitioner in favour of the 3rd respondent her own son and which Settlement Deed was registered as Doc.No.12597 of 2013 in the office of the 2nd respondent.

2.The petitioner is a senior citizen of advanced age. She had also lost her husband. Now, she has placed all trust on her son / 3rd respondent. Unfortunately, the 3rd respondent had not looked after her and she has many grievances on that particular fact. Therefore, taking recourse to the



provisions of the Maintenance of Welfare of Parents and Senior Citizens Act, 2007, the petitioner had given two representations before the 1st respondent / the District Collector, Krishnagiri and the 2nd respondent / Sub-Registrar, Hosur, Krishnagiri District.

3. Under the said Act, the competent authority to examine the grievances of the senior citizen is a Revenue Divisional Officer. It would therefore only be appropriate that, the petitioner gives a fresh representation before the Revenue Divisional Officer, Hosur. That representation should be in conformity with the provisions of the Maintenance of Welfare of Parents and Senior Citizens Act, 2007.

4. In the course of such representation, the petitioner can also seek the relief to cancel the Settlement Deed, if she is legally entitled to that relief, and also give reasons as to why she seeks such cancellation and the grounds on which she expected the 3rd respondent to look after her and his failure to look after her. All these statements can be made in the fresh representation to be given by the petitioner to the Revenue Divisional Officer, Hosur.



5. Since the said officer is not a party to the present writ petition, suo motu, the Revenue Divisional Officer, Hosur, Krishnagiri District, is impleaded as 4th respondent and a direction is given to the said 4th respondent, if the representation is given by the petitioner invoking the provisions of the Maintenance of Welfare of Parents and Senior Citizens Act, 2007, then from the date of receipt of such representation, the said official should issue notice to all concerned and endeavour to dispose of the same within a period of 8 weeks from the date receipt of such representation strictly in accordance with the provisions of the said Act.

6. The petitioner may give such a representation if the cause still exists within a period of two weeks from the date of receipt of this order.

7. With the above observations, this Writ Petition stands disposed of. No costs.

8. The Registry is directed to issue order copy after impleading the Revenue Divisional Officer, Hosur, Krishnagiri District, as the 4th respondent to the writ petition.

21.02.2023

Index: Yes/No
Internet: Yes/No
smv



To
WEB COPY

- 1.The District Collector,
Krishnagiri.
- 2.The Sub-Registrar,
Hosur, Krishnagiri District.
- 3.The Revenue Divisional Officer,
Hosur, Krishnagiri District.



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C.V.KARTHIKEYAN,J.

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