



WEB COPY



W.P. No. 29226 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.10.2023

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 29226 of 2023

M.Desingurajan

... Petitioner

-VS-

1. The District Collector,
O/. The District Collector,
Ariyalur – 621704.

2. The Revenue Divisional Officer,
O/o. The Revenue Divisional Officer,
Ariyalur – 621804.

3. Vijayakumar

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, to direct the First Respondent to dispose the Petitioner's appeal dated 21.06.2023.

For Petitioner

: Ms. M.Ramya
for Mcgan Law Firm

For Respondents

: Mr. U.Baranidharan,
Additional Government Pleader
(for R1 & R2)

Mr. K.Selvam (for R3)



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ORDER

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Heard Ms. M.Ramya, Learned Counsel for the Petitioner, Mr. U.Baranidharan, Learned Additional Government Pleader appearing for the First and Second Respondents and Mr. K.Selvam, Learned Counsel for the Third Respondent and perused the materials placed on record, apart from the pleadings of the parties.

2. The Petitioner, who is a Senior Citizen, had made an application under Section 23 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 (hereinafter referred to as 'the Act' for short) for cancellation of settlement deed executed by him in favour of the Third Respondent. The said petition was dismissed by order dated 06.06.2023 passed by the Second Respondent against which an appeal dated 21.06.2023 under Section 16(1) of the Act was filed before the First Respondent, but as it was not taken up for hearing, he has filed this Writ Petition.

3. Learned Additional Government Pleader appearing for the First and Second Respondents has filed a memo dated 19.10.2023 stating that next hearing of the said appeal is on 27.10.2023 and that notice for the same would



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be sent to all parties concerned including the Petitioner and the Third Respondent in that appeal before the First Respondent.

4. In such circumstances, the Petitioner, the Third Respondent and all other concerned parties shall attend the hearing on the said date as well as on the subsequent dates to which it is adjourned and extend their co-operation for the expeditious disposal of the matter there shall be atleast two effective hearings every month showing progress of the case. It shall be incumbent upon the First Respondent to afford full opportunity of hearing to all parties concerned following the prescribed procedure in consonance with the principles of natural justice, deal with each of the contentions raised and pass reasoned orders on merits and in accordance with law and communicate the decision taken to them under written acknowledgment.

In the result, the Writ Petition is disposed on the aforesaid terms. No costs.

19.10.2023

kv

Index: Yes/No

Note: Issue order copy by 30.10.2023.



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P.D. AUDIKESAVALU, J.

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To

1. The District Collector,
O/. The District Collector,
Ariyalur – 621704.
2. The Revenue Divisional Officer,
O/o. The Revenue Divisional Officer,
Ariyalur – 621804.

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