



W.P. No. 30892 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.11.2023

CORAM

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

W.P. No. 30892 of 2023

K.Thangavel

... Petitioner

-VS-

1. The Revenue Divisional Officer (RDO)
Cheyyar Division, Cheyyar
Tiruvannamalai District.
2. The Sub-Registrar
Sub-Registrar Office
Thellar, Vandavasi Taluk
Tiruvannamalai District – 604 406.

3. T.Sankar

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the First Respondent to consider the application of the Petitioner dated 25.09.2023, consequently direct the Second Respondent to not to register the document and alienate the properties to third parties by the Third Respondent pertaining to settlement deed vide registered Document No. 1483/2013 dated 01.07.2013 on his file.



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For Petitioner : Mr. T.V.G.Kartheeban
For Respondents : Mr. U.Baranidharan,
Additional Government Pleader
(for R1 & R2)

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ORDER

Heard Mr. T.V.G.Kartheeban, Learned Counsel for the Petitioner, Mr. U.Baranidharan, Learned Additional Government Pleader, who takes notice for the First and Second Respondents, and perused the materials placed on record, apart from the pleadings of the parties.

2. Having regard to the nature of order proposed to be passed in the Writ Petition, which would not cause any prejudice to the Third Respondent, notice to it is dispensed with.

3. It is the case of the Petitioner that he had made an application dated 25.09.2023 under Section 23 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, before the First Respondent for cancellation of the Settlement Deed dated 01.07.2013 executed by him in favour of the Third Respondent, but as it did not evoke any response, it has necessitated him to file this Writ Petition.



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4. Learned Additional Government Pleader appearing for the Respondents, on instructions, states that enquiry in the said application would be commenced on 07.11.2023 before the Sub-Collector, Cheyyar and after due notice to all parties concerned, further action would be taken and a memo dated 01.11.2023 has been filed to that effect, which is placed on record.

5. 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 and there shall be atleast one effective hearing every month showing progress of the case. It shall be incumbent upon the Sub-Collector, Cheyyar 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. The report of such compliance shall be filed before the Registrar (Judicial) of the Court.



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In the result, the Writ Petition is disposed on the aforesaid terms.

No costs.

01.11.2023

Index: Yes/No

NCC: Yes/No

Note: Issue order copy by 29.12.2023.

Maya

To

1. The Revenue Divisional Officer (RDO)
Cheyyar Division, Cheyyar
Tiruvannamalai District.
2. The Sub-Registrar
Sub-Registrar Office
Thellar, Vandavasi Taluk
Tiruvannamalai District – 604 406.

Copy to

1. The Registrar (Judicial),
Madras High Court,
Chennai – 600 104.
2. The Sub-Collector,
Cheyyar.
3. K.Thangavel,
S/o. Kanniappan,
No. 2/78, Chettiyar Street,
Melchithamoor Village & Post,
Vallam Via, Gingee Taluk,
Villupuram District – 604 206.



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4. T.Sankar,
S/o. Thangavel,
represented by on behalf of his
Minor son Janarthanan,
Veterinary hospital back side,
Thellar, Vandavasi Taluk,
Tiruvannamalai District – 604 406.



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P.D. AUDIKESAVALU, J.

Maya

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