



W.P. No. 31887 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.11.2023

CORAM

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

W.P. No. 31887 of 2023

M.Saroja

... Petitioner

-VS-

1. The District Collector,
Kancheepuram District,
Kancheepuram.
2. The Inspector General of Registration,
No. 100, Santhome High Road,
Santhome,
Chennai.
3. The District Registrar,
Kancheepuram District,
Kancheepuram.
4. The Revenue Divisional Officer,
Sriperumbuthur,
Kancheepuram District,
Kancheepuram.
5. The Commissioner of Police,
Avadi Municipal City,
Avadi.
6. The Sub-Registrar,
Pammal,
Sub-Registrar Office,
Pammal,
Chennai.



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7. The Inspector of Police,
Mangadu Police Station,
Mangadu – 600 056.

8. M.Palani

... 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 take necessary steps to cancel the settlement deed in Document No. 2941/2001 dated 12.12.2001 and Document No. 2020/2004 dated 28.05.2004 as per Section 23 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, and also take necessary action against the Eighth Respondent based on the representation of the Petitioner dated 25.09.2023.

For Petitioner : Mr. D.Ashok Kumar

For Respondents : Mr. E.Veda Bagath Singh,
Special Government Pleader
(for R1 to R4 & R6)

Mr. S.Rajkumar,
Additional Public Prosecutor
(for R5 & R7)

ORDER

Heard Mr. D.Ashok Kumar, Learned Counsel for the Petitioner, Mr. E.Veda Bagath Singh, Learned Special Government Pleader, who takes notice for the First to Fourth and Sixth Respondents, and Mr. S.Rajkumar, Learned Additional Public Prosecutor, who takes notice for the Fifth and



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Seventh 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 Eighth Respondent, notice to him is dispensed with.

3. The Writ Petition has been filed for directing the First Respondent to consider the representation dated 25.09.2023 made by the Petitioner under Section 23 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, for cancellation of the settlement deed in Document No. 2941/2001 dated 12.12.2001 and Document No. 2020/2004 dated 28.05.2004 executed by him in favour of the Eighth Respondent.

4. Learned Special Government Pleader appearing for the First to Fourth and Sixth Respondents, on instructions, states that enquiry pursuant to the said representation made by the Petitioner has been conducted by the Fourth Respondent on 13.12.2022 and the Eighth Respondent has informed that he is suffering from cancer and in such circumstances, the matter could not be heard thereafter. However, it is represented that the next hearing of the matter has



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been fixed at 11.00 a.m. on 16.11.2023 before the Fourth Respondent and that

notice for the same would be sent to all parties concerned including the Petitioner and the Eighth Respondent.

5. In such circumstances, the Petitioner, the Eighth 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. Since it is represented that the Eighth Respondent is suffering from cancer and he could not attend the hearings, he may depute an authorized representative to appear on his behalf and if the personal attendance of the Eighth Respondent is unavoidable, suitable arrangements may be made for his convenience. It shall be incumbent upon the Fourth 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. The report of such compliance shall be filed before the Registrar (Judicial) of this Court.



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

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Index: Yes/No

NCC: Yes/No

Note: Issue order copy by 29.12.2023

vjt

To

1. The District Collector,
Kancheepuram District,
Kancheepuram.
2. The Inspector General of Registration,
No. 100, Santhome High Road,
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Chennai.
3. The District Registrar,
Kancheepuram District,
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5. The Commissioner of Police,
Avadi Municipal City,
Avadi.



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6. The Sub-Registrar,
Pammal,
Sub-Registrar Office,
Pammal,
Chennai.

7. The Inspector of Police,
Mangadu Police Station,
Mangadu – 600 056.

Copy to

1. The Registrar (Judicial),
Madras High Court,
Chennai – 600 104.
2. M.Saroja,
W/o. Mani,
No. 1/128 Anna Main Road,
Kolappakkam,
Chennai – 600 128.
3. M.Palani,
S/o. Mani,
No. 1/128 Anna Main Road,
Kolappakkam,
Chennai – 600 128.



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P.D. AUDIKESAVALU, J.

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