



WEB COPY



W.P. No. 31911 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. 31911 of 2023

A.Madhammal

... Petitioner

-VS-

1. The Revenue Divisional Officer,
Dharmapuri District,
Dharmapuri.

2. S.Kaliselvi

3. 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 representation of the Petitioner dated 26.07.2023 in accordance with law by cancelling the settlement deed registered by the petitioner in favour of the First Respondent in Document No. 644 of 2005 dated 23.05.2005 and the Sale deed registered by the First Respondent in favour of the Second Respondent in Document No. 3933 of 2016 dated 24.11.2016 on the file of Sub-Registrar office, Pennadam to secure the ends of justice.

For Petitioner : Mr. K.Nagarajan

For Respondent : Mr. E.Veda Bagath Singh,



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Special Government Pleader (for R1)

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ORDER

Heard Mr. K.Nagarajan, Learned Counsel for the Petitioner and Mr. E.Veda Bagath Singh, Learned Special Government Pleader, who takes notice for the First Respondent, 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 Second and Third Respondents, notice to them is dispensed with.

3. The Writ Petition has been filed for directing the First Respondent to consider the representation dated 26.07.2023 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. 644/2000 dated 23.05.2005 executed by her in favour of the Second Respondent and Document No. 3933/2016 dated 24.11.2016 executed by the Second Respondent in favour of the Third Respondent.



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4. Learned Special Government Pleader appearing for the First Respondent, on instructions, states that enquiry in the aforesaid representation has been fixed on 17.11.2023 before the First Respondent and that notice for the same would be sent to all parties concerned including the Petitioner and the Second and Third Respondents. He has also filed a memo dated 09.11.2023 to that effect, which is placed on record.

5. In such circumstances, the Petitioner, the Second and Third Respondents 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 at least one effective hearing 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. The report of such compliance shall be filed before the Registrar (Judicial) of the Court.



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

09.11.2023

Index: Yes/No

NCC: Yes/No

Note: Issue order copy by 29.12.2023.

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To

The Revenue Divisional Officer,
Dharmapuri District,
Dharmapuri.

Copy to

1. The Registrar (Judicial),
Madras High Court,
Chennai – 600 104.
2. A.Madhammal,
W/o. Late Arumugam,
Chikkanampatti Village,
Konangihalli,
P.Aharaharam Post,
Pennaharam Taluk,
Dharmapuri District.
3. S. Kaliselvi,
W/o. Shanjugam,
D/o. Late Arumugam,
Chikkanampatti Village,
Konangihalli,
P.Aharaharam Post,



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Pennaharam Taluk,
Dharmapuri District.

4. Sankar,
S/o. Kuppagounder,
Chikkanampatti Village,
Nallapalli Taluk,
Dharmapuri District.



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P.D. AUDIKESAVALU, J.

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