



WEB COPY



W.P. No. 31659 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.11.2023

CORAM

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

W.P. No. 31659 of 2023

Chenniappan

... Petitioner

-VS-

1. The District Collector,
Coimbatore District.

2. The Revenue Divisional Officer,
Coimbatore – South,
Coimbatore District.

3. Swamy Nathan

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the Second Respondent to conduct an enquiry under Section 23 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, based on the Petitioner's representation dated 10.08.2023 within the time limit to be stipulated by this Court.

For Petitioner : Mr. M.Vijaya Ragavan

For Respondents : Mr. S.Yashwanth,
Additional Government Pleader
(for R1 & R2)



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ORDER

Heard Mr. M.Vijaya Ragavan, Learned Counsel for the Petitioner and Mr. S.Yashwanth, 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 him is dispensed with.

3. The grievance ventilated by the Petitioner, who is a senior citizen, is that he had made a application dated 10.08.2023 to the First and Respondents under Section 23 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, to cancel the settlement-deed executed by him in favour of the Third Respondent, but as it did not evoke any response, he has filed this Writ Petition.

4. Learned Additional Government Pleader appearing for the First and



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Second Respondents has produced Notice in Na. Ka. No. 63728/2023/A1 dated

06.11.2023 issued by the Second Respondent to the Petitioner and the Third Respondent showing that hearing of the matter has been fixed at 11.00 a.m. on 14.11.2023 before the Revenue Divisional Officer, Coimbatore North, Coimbatore and its copy is placed on record. Learned Counsel for the Petitioner also acknowledges its receipt and he has also made an endorsement to that effect in the court 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 Revenue Divisional Officer, Coimbatore North, Coimbatore 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.



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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,
Coimbatore District.
2. The Revenue Divisional Officer,
Coimbatore – South,
Coimbatore District.

Copy to

1. The Revenue Divisional Officer,
Coimbatore – North,
Coimbatore District.
2. Chenniappan,
S/o. Arakoundar,
D. No. 10, Padasalai Street,
Nanjundapuram,
Coimbatore District – 641 036.
3. Swamynathan,
S/o. A.Chenniappan,
D/No. 68, Arashamara Street,
Nava india Road,
Sri Veeramaachi Industries (opp),
Avarampalayam,



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Coimbatore District – 641 006.

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P.D. AUDIKESAVALU, J.

vjt

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