



W.P. No. 33260 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.11.2023

CORAM

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

W.P. No. 33260 of 2023

G.Nirmala

... Petitioner

-VS-

1. The District Collector,
Office of the District Collector,
Kancheepuram.
2. The District Registrar,
Kancheepuram.
3. R.Anandhi
4. R.Nivedha
5. The Revenue Divisional Officer,
Kancheepuram.
(R5 is suo-motu impleaded by this order)

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, direct the First Respondent to consider, made by the Maintenance and Welfare of Parents And Senior Citizens Act, 2007, based on the Petitioner's representation dated 25.09.2023.



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For Petitioner : Mr. S.Venkatesh Kumar
for Mr. N.Mahendra Babu

For Respondents : Mr. U.Baranidharan
Additional Government Pleader
(for R1, R2 & R5)

ORDER

Heard Mr. S.Venkatesh Kumar, Learned Counsel appearing for the Petitioner and Mr. U.Baranidharan, 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 and Fourth Respondents, notice to them is dispensed with.

3. The Petitioner had made an application dated 25.09.2023 before the First Respondent under Section 23 of the Maintenance and Welfare of Parents And Senior Citizens Act, 2007, for cancellation of the settlement deed executed by her in favour of the Third and Fourth Respondents. Since it did not evoke any response, she has filed this Writ Petition.



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4. Learned Additional Government Pleader appearing for the First and Second Respondents, on instructions, states that the competent authority to hear the said application is the Revenue Divisional Officer, Kancheepuram, who is *suo-motu* impleaded as the Fifth Respondent in this Writ Petition. It is represented that the First Respondent has forwarded the said application made by the Petitioner to the Fifth Respondent for taking further action and the matter has been posted for hearing on 08.12.2023 before the Fifth Respondent and that due notice would be sent to the parties for their appearance on the said date and a memo dated 28.11.2023 has been filed to that effect.

5. In such circumstances, the Petitioner, the Third and Fourth 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 two effective hearing every month showing progress of the case. It shall be incumbent upon the Fifth 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



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decision taken to them under written acknowledgment. The report of such compliance shall be filed before the Registrar (Judicial) of the Court.

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

28.11.2023

Index: Yes/No

NCC: Yes/No

Note: Issue order copy by 19.02.2024.

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To

1. The District Collector,
Office of the District Collector,
Kancheepuram.
2. The District Registrar,
Kancheepuram.
3. The Revenue Divisional Officer,
Kancheepuram.

Copy to

1. The Registrar (Judicial),
Madras High Court,
Chennai – 600 104.



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2. G. Nirmala,
W/o. Mr. D.Singaravelu,
No. 15, C.N.Anna Durai Street,
Chinna Kancheepuram,
Kancheepuram District.
3. R.Anandhi,
W/o. Mr. Ramamoorthy,
Door No. 47, Sangoosahibpettai Street,
2nd Division, Kancheepuram Town,
Kancheepuram.
4. R.Nivedha,
W/o. Mr. Janagaraj @ Mani,
Door No. 47, Sangoosahibpettai Street,
2nd Division, Kancheepuram Town,
Kancheepuram.



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P.D. AUDIKESAVALU, J.

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