



WEB COPY



W.P. No. 33298 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.11.2023

CORAM

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

W.P. No. 33298 of 2023

K. Krishnan

... Petitioner

-VS-

1. The District Collector,
Kanchipuram,
Kanchipuram District.

2. The District Revenue Officer,
Kanchipuram,
Kanchipuram District.

3. K. Dilli

4. Vadivel

... 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 consider Petitioner representation dated 29.11.2022 as per the Maintenance and Welfare of Parents and Senior Citizen Act, 2007.

For Petitioner : Mr. A. Saranraj

For Respondents : Mr. M.Alagu Gowtham
Government Advocate
(for R1, R2 and R5)



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ORDER

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Heard Mr. A. Saranraj, Learned Counsel for the Petitioner and Mr. M.Alagu Gowtham, 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 and Fourth Respondents, notice to them is dispensed with.

3. The grievance ventilated by the Petitioner, who is a senior citizen, is that he had made a application dated 29.11.2022 to the First Respondent under Section 23 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 (hereinafter referred to as 'the Act' for short), to cancel the settlement deed executed by him in favour of the Third and Fourth Respondents, but as it did not evoke any response, it has necessitated the filing of this Writ Petition.

4. Learned Additional Government Pleader appearing for the First and Second Respondents has produced Notice No. Na. Ka. 5020/2023/A5 dated



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09.11.2023 issued by the Revenue Divisional Officer, Kancheepuram to the Petitioner and the Third and Fourth Respondents showing that hearing of the matter has been fixed at 11.00 a.m. on 12.12.2023 before him 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 and Fourth Respondents and all other concerned parties shall attend the hearing before the Revenue Divisional Officer, Kancheepuram 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, Kancheepuram 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.

29.11.2023

Index: Yes/No

NCC: Yes/No

Note: Issue order copy by 08.01.2024.

nsI

To

1. The District Collector,
Kanchipuram,
Kanchipuram District.
2. The District Revenue Officer,
Kanchipuram,
Kanchipuram District.

Copy to

1. The Registrar (Judicial),
Madras High Court,
Chennai – 600 104.
2. The Revenue Divisional Officer,
Kancheepuram.
3. K.Krishnan,
S/o. Kannppan,
Plot No. 2, Kanchi New Town,
Kalakatur Village,
Kancheepuram District.
- 4.K.Dilli,
S/o. Krishnan,
No. 1/371, Gandhi Road,
Kalakattur Village,
Kanchipuram District.



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5. Vadivel,
S/o. Krishnan,
No. 370, Main Road,
Kalakattur Village,
Kanchipuram District.



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P.D. AUDIKESAVALU, J.

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