



W.P(MD)No.3660 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.02.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.3660 of 2023

Meenakshiammal

... Petitioner

Vs

1.The Revenue Divisional Officer,
Authority under the Maintenance and Welfare
of Parents and Senior Citizen Act, 2007,
Cheranmahadevi,
Tirunelveli District.

2.Mariappan

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first respondent to consider petitioner application dated 19.09.2022 and cancel the settlement deed in Document No.642 of 2017 dated 15.07.2017 registered on the file of the Sub-Registrar, Kalakkadu, Tirunelveli District within time frame fixed by this court by affording reasonable opportunity to the petitioner.

For Petitioner : Mr.V.Sukumar

For Respondents : Mr.M.Lingadurai
Special Government Pleader for R.1



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ORDER

Heard the learned counsel appearing for the writ petitioner and the learned Special Government Pleader appearing for the first respondent.

2.The petitioner had moved the Maintenance Tribunal for cancelling the petition mentioned settlement deed. I called upon the learned counsel for the petitioner to draw my attention to any clause which contains condition that the settlee / the second respondent herein should maintain the petitioner herein. There is no such condition. Therefore, Section 23 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 cannot be invoked. The petitioner of course can seek other reliefs such as protection of her life and limb and direction for payment of certain sum towards Maintenance etc. But such reliefs have not been sought in the writ prayer. The only relief sought is for cancellation of the document. Since no case for cancellation has been made out, I am not inclined to grant relief. This writ petition is dismissed with the aforesaid liberty to the writ petitioner herein. There shall be no order as to costs.

23.02.2023

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
MGA



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The Revenue Divisional Officer,
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G.R.SWAMINATHAN, J.

MGA

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