



W.P.(MD)No.20753 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 25.08.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.20753 of 2023

J.Chandira

... Petitioner

versus

1. The District Collector,
Tenkasi District.

2. The Revenue Divisional Officer,
Alangulam,
Tenkasi District.

3. The Sub Registrar,
Office of the Sub Registrar,
Alangulam,
Tenkasi District.

4. Nirmala

5. Anitha

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Mandamus, to direct the 2nd respondent to dispose of the petitioner's application dated 17.07.2023 pursuant to the Maintenance and Welfare of Parents and Senior Citizen



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Act, 2007, within stipulated time fixed by this Court.

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For Petitioner : Mr.S.M.Mohan Gandhi
For R1 to R3 : Ms.D.Farjana Ghoushia,
Special Government Pleader

ORDER

The petitioner has filed an application dated 17.07.2023 under the Maintenance and Welfare of Parents and Senior Citizen Act, 2007, before the second respondent, requesting him to cancel the settlement deeds dated 25.10.2021 executed in favour of the respondents 4 and 5. Since the said application has not been considered, the present writ petition has been filed.

2. The learned counsel appearing for the petitioner submits that the petitioner has executed settlement deeds in favour of her daughters, who are respondents 4 and 5 herein, on believing that they would take care of her in future. After the execution of the Settlement deeds, they did not take care of her. Therefore, the petitioner has filed an application dated 17.07.2023 under the Maintenance and Welfare of



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Parents and Senior Citizen Act, 2007, before the second respondent, for cancellation of settlement deeds dated 25.10.2021 executed in their favour. Now, the petitioner is aged about 85 years and she is also a cancer patient. Therefore, she has filed this writ petition for early disposal of the said application dated 17.07.2023.

3. Ms.D.Farjana Ghoushia, learned Special Government Pleader, who takes notice for the respondents 1 to 3, on instructions, submits that the petitioner filed the application only on 17.07.2023. On receipt of the petitioner's application, the second respondent/the Revenue Divisional Officer, Alangulam has also issued a notice to the respondents 4 and 5 on 01.08.2023 fixing the date of enquiry as 13.09.2023 and the enquiry is yet to be concluded.

4. This Court considered the rival submissions made and perused the materials available on record.



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5. The Statute itself has prescribed a time limit for disposal of the applications filed under the Maintenance and Welfare of Parents and Senior Citizen Act, 2007. As per Section 5(4) of the Act, any application filed under this Act needs to be disposed of within a period of 90 days. However, the petitioner has submitted the application only on 17.07.2023.

6. Considering the fact that the petitioner is aged about 85 year old and she is also claimed to be a cancer patient, the second respondent shall endeavour to conclude the proceedings initiated on the petitioner's application dated 17.07.2023, within a period of eight weeks from the date of receipt of a copy of this order.

7. Accordingly, the present writ petition is disposed of. No costs.

25.08.2023

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NCC : Yes / No.
Index : Yes / No.
Internet : Yes / No.



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B.PUGALENDHI, J.

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