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W.P.No. 12781 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.06.2024

CORAM:

THE HONOURABLE **MRS. JUSTICE V.BHAVANI SUBBAROYAN**

W.P.No.12781 of 2024

M. Vaira Bai

.. Petitioner

Versus

1. The Revenue Divisional Officer,
Officer of the RDO, Chennai – 600 040.

2. The Sub Registrar Office,
Anna Nagar, Chennai

3.V.K.Sasikala

4. S.Naveen Shankar

5. V.K. Siva Shankar

...Respondents

Prayer: This petition is filed under Article 226 of the Constitution of India to issue a writ of Mandamus against the first respondent to consider and dispose of petitioner's representation/complaint dated 07.12.2022 under the provisions of Maintenance and Welfare of Parents and Senior Citizens Act, 2007 in accordance with law.

For Petitioner

: Mr.R. Ganesan



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For Respondents1 and 2 : Mr.P. Gurunathan
Special Government Pleader

ORDER

This petition is filed to seeking a direction directing the second respondent to dispose the petitioner's complaint dated 07.12.2022 pending on his file and pass orders.

2. By consent of both the parties, this writ petition is taken up for disposal at the admission stage itself.

3.The facts of the case is that the petitioner has two children one son/V.K.Siva Shankar/5th respondent herein and one daughter/V.K.Sasikala/third respondent herein. Her son V.K.Siva Shangar/5th respondent left the house. Therefore, the petitioner divided the properties equally and settled in favour of her daughter V.K.Sasikala/third respondent and her grand son/fourth respondent/S.Naveen Shankar Vide settlement deed in Doc.No.1113/2011 and 1114/2011 respectively. After obtaining the properties the daughter and the grandson are not taking care of the petitioner and they left her in the old age home, due to which the



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petitioner made a complaint before the first respondent under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 to cancel the settlement deed executed by the petitioner. The grievance of the petitioner is that the first respondent had kept the complaint pending without any reason. Hence, this petition.

4. The learned counsel for the petitioner submitted that the petitioner is a senior citizen aged about 83 years and she is leading her life like a orphan. He further submitted that her daughter as well as her grand son who are the direct beneficiary to the properties are not taking care of the petitioner. Hence, prays to allow this petition.

5. The learned Government Advocate appearing for the official respondents submitted that they will prioritize the case of the petitioner as the petitioner is a senior citizen and take action in the manner known to law as early as possible

6. For the foregoing reasons, this Court without expressing any opinion on the merits of the case directs the first respondent to consider



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the petitioner's complaint dated 07.12.2022 and conduct an enquiry within a period of one month from the date of receipt of a copy of this order. The First respondent is further directed to dispose of the case within a period of three months from the date of conducting the enquiry.

7. With the aforesaid direction, this writ petition is disposed of. No order as to costs.

03.06.2024

Speaking order : Yes/No
Neutral citation : Yes/No
Index : Yes/No
smn
To

1. The Revenue Divisional Officer,
Officer of the RDO, Chennai – 600 040.

2. The Sub Registrar Office,
Anna Nagar, Chennai

3. The Section Officer, V.R.Section,
High Court, Madras.



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V.BHAVANI SUBBAROYAN, J.

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