



WEB COPY



W.P.No.18338 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:09.07.2024

CORAM:

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.18338 of 2024

Mahalakshmi

...Petitioner

Vs

1.Revenue Division Officer,
North Madras Division,
No.5698+V2X, Mahalakshmi Nagar,
Puzhal, Chennai, Tamil Nadu 600060

2.K.V.Balamanikandan

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 1st respondent to complete the enquiry on the petition dated 18.12.2023 filed by the petitioner under the Maintenance and Welfare of Parents and Senior Citizens Act-2007.

For Petitioner

:M/s.K.Subhashini

For Respondents

: Mr.P.Gurunathan for R1
Additional Government Pleader

ORDER



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The petitioner has filed this writ petition seeking issuance of Writ of Mandamus to consider the petitioner's representation dated 18.12.2023.

2. In view of the consent expressed by the learned counsel appearing for either side, this petition is taken up for final disposal.

3. The case of the petitioner is that the petitioner is aged about 83 years had executed a settlement deed to her son, second respondent herein on the promise that he will take care of her and will spend for medical expenses. But the fact remains that the second respondent failed to take care of the petitioner and causing physically harassment to the petitioner even without considering her health condition. Hence, the petitioner filed W.P.No.11561/2020 and after the receipt of notice from the High Court, her son came forward to cancel the said settlement deed and according the settlement deed was cancelled by way of cancellation deed dated 11.09.2020, the same was registered as Doc.No.4508/2020 before the Sub Registrar's Office, Thiruvatriyur. Pursuant to which, the second respondent along with his wife causing physical torture and mental trauma to the petitioner. Hence, the petitioner made a representation dated 18.12.2023 to the first respondent who in turn conducted enquiry



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on 25.04.2024 by its letter dated 18.03.2024.

After enquiry,

the 1st respondent informed that he will call upon her son for further proceedings but till date no enquiry proceedings were conducted by the 1st respondent and no orders was passed in the petitioner's representation. Hence this petition.

4. The learned counsel for the petitioner submitted that it would be suffice if this Court issues a direction to the first respondent to consider the petitioner's representation dated 18.12.2023 and pass orders.

5. The learned Additional Government Pleader appearing for the 1st respondent submitted that they will consider the case of the petitioner and take action in the manner known to law.

6. Considering the facts and circumstances of the case and the limited relief sought for by the petitioner, this Court, without going into the merits of the case, directs the first respondent to consider the petitioner's representation dated 18.12.2023 and pass orders on merits and in accordance with law within a period of eight(8) weeks from the date of



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receipt of a copy of this order.

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7. With the aforesaid direction, this Writ Petition stands disposed
of. No costs.

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Index: Yes/No
Speaking order/Non-speaking order
msv

To
The Revenue Division Officer,
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V.BHAVANI SUBBAROYAN,J.

msv

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