



W.P.No. 19453 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.07.2024

CORAM:

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

W.P.No.19453 of 2024

K. Vasantha

.. Petitioners

Versus

1. The District Social Welfare Officer
Office of District Collectorate
Tiruvallur District.

2. The Revenue Divisional Officer
Office of the Revenue Divisional Office,
Ambattur Division,
5-73, SH 112 Gandhi Nagar,
Anna Nagar West Extension,
Chennai – 600 040

3. The sub Registrar
Virugambakkam,
Chennai – 600 083.

4. K. Gopinath

5. K.Premnath

6. K. Jagannath

...Respondents



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Prayer: This petition is filed under Article 226 of the Constitution of India to issue a writ of Mandamus directing the second respondent herein to consider the representation of the petitioner dated 28.03.2024 under the provisions of the Maintenance and Welfare of parents and Senior Citizens Act, 2007 seeking cancellation of settlement deed dated 27.07.2012 in Document No.27.07.2012 in Document No.4193 of 2012 on the file of the Sub-Registrar, Virugambakkam, Chennai and pass orders.

For Petitioner : Mr.M. Durai Murugan

For Respondents 1 and 2 : Mr.P.Gurunathan
Additional Government Pleader

For Respondent-3 : Mr.P. Ananda Kumar
Government Advocate

ORDER

This petition is filed to seeking a direction directing the second respondent to consider the representation of the petitioner dated 28.03.2024 and pass orders.



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2. Mr.P.Gurunathan, Additional Government Pleader takes notice for the first and second Respondents. Mr.P. Ananda Kumar, Government Advocate takes notice for the third respondent. In view of the consent expressed by the learned counsel appearing for either side, this petition is taken up for final disposal. .

3. Since no adverse orders has been passed against the fourth and fifth respondents notice to fourth and fifth respondents respondent dispensed with.

4.The facts of the case is that the petitioner has settled his property to his two sons who are the fourth and fifth respondents herein vide Document bearing Nos.4193 of 2012 dated 27.07.2012. After obtaining the properties the petitioner was not taken care by their sons and they are suffering from age-related ailments. Due to which the petitioners 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 no orders has been passed in his application till date. Hence, this petition.

5. The learned counsel appearing for the petitioner submitted that



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the petitioner is a senior citizen and he has been made to run from pillar to post to establish his case. He further submitted that the petitioner is suffering due to the age-related ailments. While so, the fourth and fifth respondents herein who are the sons of the petitioner are not taking care of the petitioner. Hence, prays to allow this petition.

6. The learned Government Pleader and 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.

7. For the foregoing reasons, this Court without expressing any opinion on the merits of the case directs the second respondent to consider the petitioner's application dated 28.03.2024 and conduct an enquiry within a period of eight weeks from the date of receipt of a copy of this order after issuing notice to the 4th and 5th respondents. The second respondent is further directed to dispose of the case within a period of eight weeks from the date of conducting the enquiry.



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

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Speaking order : Yes/No

Neutral citation : Yes/No

Index : Yes/No

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To

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V.BHAVANI SUBBAROYAN, J.

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