



W.P.No.20713 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.07.2024

CORAM:

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

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V.S. Rajasekaran

...Petitioner

Vs

1. The District Collector,
NH 40, Ranipet District Collector Officer,
Ranipet.

2. The Revenue Divisional Officer,
Arakkonam Taluk,
Ranipet District.

3. R. Jothichandran

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first Respondent to pass final orders in the statutory appeal dated 11.03.2024 filed under Section 23 of Maintenance and welfare of Parents and Senior Citizens Act, 2007 pending on the file of the first respondent within a time frame fixed by this Court and pass orders.



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For Petitioner : Mr.V. Moorthi
For Respondents : Mr.P.Gurunathan
Additional Government Pleader

ORDER

This Writ Petition has been filed directing the first Respondent to pass final orders in the statutory appeal dated 11.03.2024 filed under Section 23 of Maintenance and welfare of Parents and Senior Citizens Act, 2007 pending on the file of the first respondent.

2. Mr..P.Gurunathan, Additional Government Pleader takes notice for the Respondents. 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 third respondent notice to third respondent dispensed with.

4. The case of the petitioner is that his son and his wife passed away. Hence, the petitioner had executed a settlement deed vide



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Document No.5888/2010 on the file of Sub Registrar Arakkonam to his grand son/3rd respondent herein and nominated this daughter-in-law as a guardian on the belief that they will take care of the petitioner. But the third respondent and his mother/daughter-in-law failed to discharge their duties and not taking care of the petitioner. Hence, the petitioner lodged a complaint before the second respondent to revoke the settlement deed No.5888/2010 dated 21.07.2010 executed in favour of petitioner's grandson and the same was rejected. The reason stated for rejection is that the grand son/3rd respondent is a college going student and he is not a earning person, hence he is not duty bound to take care of petitioner. Challenging the rejection order the petitioner preferred an appeal before the first respondent on 11.03.2024 and the same is still pending. Hence this petition.

5. The learned counsel appearing for the petitioner submitted that the petitioner is a senior citizen aged about 83 years and suffering from age-related ailments. He further submitted that his grand son who is the beneficiary to the properties is not taking care of the petitioner. Hence, prays to allow this petition.



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6. The learned Additional Government Pleader appearing for the first and second 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. Considering the facts of the case, this Court directs the first respondent to dispose of the appeal filed by the petitioner within a period of twelve weeks from the date of receipt of a copy of this Order. This writ petition is disposed of in the above terms. No costs.

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Index: Yes/No

Speaking order/Non-speaking order

smn

To

1. The District Collector,
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Arakkonam Taluk,
Ranipet District.



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V.BHAVANI SUBBAROYAN,J.

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