



WEB COPY

W.P.No.26944 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.09.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.26944 of 2024

John Peter

.... Petitioner

Vs

1. The District Collector,
Vellore District.

2. The Revenue Divisional Officer,
Revenue Divisional office,
Vellore.

3. The District Social Welfare Officer,
Vellore District.

4. J.Jenifer,

... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to consider the petitioner application dated 28.04.2022 under the Maintenance and Welfare of Parents and Senior Citizen Act, 2007 and consequently direct the 1 to 3 respondents to cancel the settlement deed executed by the petitioner in favour of the petitioner's son in Document No:4456/2008 dated 17.04.2008 on the file of the Joint Sub-registrar, Vellore.



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For Petitioner : Mr.K.V.Sajeev Kumar
For R1 to R3 : Mr.P.Gurunathan
Additional Government Pleader

ORDER

This Writ Petition has been filed for a direction, directing the respondents to consider the application submitted by the petitioner dated 28.04.2022 under the Maintenance and Welfare of Parents and Senior Citizen Act, 2007 and consequently direct the respondents 1 to 3 to cancel the settlement deed executed by the petitioner in favour of the petitioner's son in Document No.4456/2008 dated 17.04.2008 on the file of the Joint Sub-registrar, Vellore.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents 1 to 3 and perused the materials available on record.

3. It is seen that the petitioner submitted an application under Section 23 of the Maintenance and Welfare of Parents and Senior Citizen Act, 2007 as against the fourth respondent to cancel the settlement deed in favour of her husband before the first and second respondents and the same was forwarded to the third respondent. The



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third respondent has no jurisdiction over the complaint lodged by the petitioner under the Maintenance and Welfare of Parents and Senior Citizen Act, 2007. The second respondent is the competent authority to pass orders on the complaint lodged by the petitioner.

4. In view of the above, the second respondent is directed to conduct an enquiry, after issuance of notice to the petitioner and the fourth respondent and after giving an opportunity of hearing to them and pass orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order.

5. With the above direction, this writ petition stands disposed of. No costs.

18.09.2024

Internet: Yes
Index : Yes/No
Speaking/Non Speaking order
Lpp



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G.K.ILANTHIRAIYAN. J.

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