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W.P. No. 36279 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.01.2024

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 36279 of 2023

S.Ganesh

...Petitioner

-VS-

1. The District Collector,
M.Singaravelar Maaligai,
Chennai – 600 001.

2. The Sub Divisional Magistrate and Revenue Divisional Officer,
O/o. the Revenue Divisional Officer,
South Chennai Division,
Guindy,
Chennai – 600 032.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the Second Respondent to pass final orders in Application No. A3/1420/2022 within a specific time frame.

For Petitioner : Mr. A.B.Rajasekaran

For Respondents : Mr. B.Vijay,
Additional Government Pleader



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ORDER

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Heard Mr. A.B.Rajasekaran, Learned Counsel for the Petitioner and Mr. B.Vijay, Learned Additional Government Pleader, who takes notice for the Respondents, and perused the materials placed on record, apart from the pleadings of the parties.

2. It is the case of the Petitioner that he had made Application No. A3/1420/2022 dated 07.02.2022 under Section 23 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, before the First Respondent for cancellation of the Settlement Deed dated 24.01.2013 executed by him in favour of his son, viz., G.Lakshmi Narayanan, but as it did not evoke any response, it has necessitated the filing of this Writ Petition.

3. Learned Additional Government Pleader appearing for the Respondents, on instructions, states that enquiry in the said application has been fixed on 19.01.2024 before the Second Respondent and a memo dated 05.01.2024 has been filed to that effect.



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4. In such circumstances, it shall be incumbent upon the Second Respondent to send due notice to the Petitioner, the said G.Lakshmi Narayanan and all other persons concerned to attend the hearing on the said date as well as on the subsequent dates to which it is adjourned and extend their co-operation for the expeditious disposal of the matter and there shall be atleast two effective hearing every month showing progress of the case. It shall be incumbent upon the Second Respondent to afford full opportunity of hearing to all parties concerned following the prescribed procedure in consonance with the principles of natural justice, deal with each of the contentions raised and pass reasoned orders on merits and in accordance with law and communicate the decision taken to them under written acknowledgment. The report of such compliance shall be filed before the Registrar (Judicial) of the Court.

In the result, the Writ Petition is disposed on the aforesaid terms. No costs.

05.01.2024

Index: Yes/No

NCC: Yes/No

Note: Issue order copy by 19.02.2024.

vjt



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To

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1. The District Collector,
M.Singaravelar Maaligai,
Chennai – 600 001.
2. The Sub Divisional Magistrate and Revenue Divisional Officer,
O/o. the Revenue Divisional Officer,
South Chennai Division,
Guindy,
Chennai – 600 032.

Copy to

1. The Registrar (Judicial),
Madras High Court,
Chennai – 600 104.
2. S.Ganesh,
No. 7, T.P.Koil 1st Lane,
Triplicane,
Chennai – 600 005.



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P.D. AUDIKESAVALU, J.

vjt

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