



WP(MD). No.21321 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 09/09/2024

CORAM

The Hon`ble Mr.Justice N.SATHISH KUMAR

WP(MD). No.21321 of 2024

A.Radha

... Petitioner

Vs

1. The District Collector,
Dindigul District,
Dindigul..

2. The Revenue Divisional Officer,
Dindigul Revenue Division,
Dindigul..

3. The Tahsildar,
Dindigul East Taluk,
Dindigul District..

4. Sumathy,
W/o.Rajamohan,
No.753/44, Abirami Nagar,
Balakrishnapuram Village,
Dindigul District,
Dindigul District..

... Respondents

PRAYER :- Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus to direct the 2nd



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respondent to dispose of the pending enquiry of his proceedings in Na.Ka.No.6840/2023/A1 for the remedy under the Maintenance and Welfare of Parents and Senior Citizens Act 2007 within a time frame fixed by this Court.

For Petitioner : Mr.R.Anandha Raj,
For Respondents : Mr.D.Gandhiraj for R1 to R3
Special Government Pleader

ORDER

This writ petition has been filed for a direction to the 2nd respondent to dispose of the pending enquiry of his proceedings in Na.Ka.No.6840/2023/A1 for the remedy under the Maintenance and Welfare of Parents and Senior Citizens Act 2007 within a time frame fixed by this Court.

2. By consent of both sides, the writ petition itself is taken up for final disposal at the stage of admission itself.

3. It is the case of the petitioner that the petitioner has entered into a settlement deed in favour of her daughter, viz., the 4th respondent. However, she has not been maintained properly and hence in order to



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cancel the settlement deed, the petitioner has given an application under Section 23 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007. Since the said representation has not been considered so far, the petitioner is before this Court.

4. I have considered the rival submissions and perused the materials available on record.

5. Considering the limited relief sought for by the petitioner, the respondents 1 to 3 shall consider the representation of the petitioner and pass orders on its own merits with regard to the maintenance alone. As far as the cancellation of the document is concerned, it is made clear that inasmuch as a condition is attached in the settlement deed for revocation, the document cannot be cancelled under Section 23 of the said Act. Keeping in mind the above legal position, the authorities shall decide the application only in respect of maintenance.



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6. The writ petition is disposed of with the above direction. No costs.

09.09.2024

NCC : Yes/No
Index : Yes/No

RR

TO

1. The District Collector,
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2. The Revenue Divisional Officer,
Dindigul Revenue Division,Dindigul..
3. The Tahsildar,
Dindigul East Taluk,Dindigul District..



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N.SATHISH KUMAR,J

RR

**ORDER
IN
WP(MD) No.21321 of 2024**

Date : 09/09/2024