



W.P.(MD).No.33 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.01.2024

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THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.(MD)No.33 of 2024

S.Subbiah

... Petitioner

vs.

1.The District Collector,
Sivagangai District.

2.The Revenue Divisional Officer,
Devakottai,
Sivagangai District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the second respondent to dispose the proceedings in Na.Ka.No.Aa1/6896/2023 under the provisions of the Maintenance and Welfare of the Parent and Senior Citizen Act, 2007, in accordance with law, within the stipulated time fixed by this Court.

For Petitioner : Mr.A.B.Jeeva

For Respondents : Mrs.K.Christy Theboral
Additional Government Pleader



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ORDER

This writ petition has been filed for issuance of a Writ of Mandamus, directing the second respondent to dispose of the proceedings in Na.Ka.No.Aa1/6896/2023 under the provisions of the Maintenance and Welfare of the Parent and Senior Citizen Act, 2007, in accordance with law.

2. The case of the petitioner is that he is aged about 84 years and in the year 1982 and 1997, he purchased some lands from his own income. Believing the words of his sons, on 31.03.2023, he executed a gift deed in favour of them. Thereafter, they did not maintain the petitioner. Hence, he made a representation to the first respondent on 21.08.2023, to cancel the said deed and to take action against his sons. The first respondent has forwarded the same to the second respondent. But the second respondent has not passed any orders till date. Therefore, the petitioner has filed the present writ petition.



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3. When the matter is taken up for hearing today, the learned Additional Government Pleader appearing for the respondents would submit that on 13.12.2023 itself the Revenue Divisional Officer, Devakottai in Mu.Mu.A1/6896/2023 has passed an order, dismissing the representation made by the petitioner, dated 21.08.2023 and hence, the prayer sought for by the petitioner has become infructuous.

4. In view of the above, this Writ Petition is dismissed as infructuous with liberty to challenge the order dated 13.12.2023, by filing an appeal before the District Collector, Sivagangai District. No costs.

03.01.2024

Index: Yes/No
Internet: Yes/No
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V.BHAVANI SUBBAROYAN,J.

akv

To

- 1.The District Collector,
Sivagangai District.
- 2.The Revenue Divisional Officer,
Devakottai,
Sivagangai District.

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