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W.P.No.7837 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.03.2025

CORAM :

THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

Writ Petition No.7837 of 2025

M.Latheef

... Petitioner

Vs.

1.The District Collector,
Coimbatore District.

2.The Revenue Divisional Officer,
Coimbatore North,
Coimbatore.

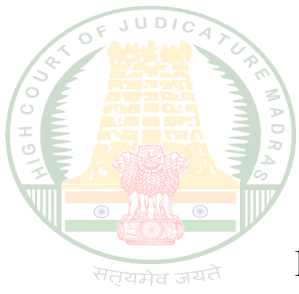
3.L.Mohameed Ansaar

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Mandamus directing the 1st and 2nd respondents to consider the petitioner's representation dated 30.05.2023, under the Maintenance and Welfare of Parents and Senior Citizen Act, 2007 and consequently direct the 1st and 2nd respondents to cancel the settlement deed executed by the petitioner in favour of the petitioner's son in Doc.Nos.2827/2000 dated 25.10.2000 and 2887/2000 dated 01.11.2000 on the file of the Sub-Registrar Gandhipuram.

For Petitioner : Mr.Reshmi Christy

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For Respondents 1 & 2 : Mr.A.Anandan,
Government Advocate

ORDER

The petitioner has filed this petition seeking to direct the respondents 1 & 2 to consider the petitioner's representation dated 30.05.2023, under the Maintenance and Welfare of Parents and Senior Citizen Act, 2007 and consequently direct the respondents 1 & 2 to cancel the settlement deed executed by the petitioner in favour of the petitioner's son in Doc.Nos.2827/2000 dated 25.10.2000 and 2887/2000 dated 01.11.2000 on the file of the Sub-Registrar Gandhipuram.

2. Since no adverse order is being passed, this writ petition is taken up for final hearing.

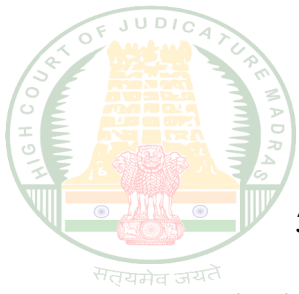
3. The case of the petitioner is that the petitioner has executed a settlement deed in favour of the third respondent to an extent of 3 cents 232 sq.ft. & 3 cents 200 sq.ft. by way of registered settlement deeds vide Doc.No.2827 of 2000 dated 25.10.2000 and Doc.No.2887 of 2000 dated 01.11.2000 respectively, on the file of Sub-Registrar, Gandhipuram. This



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being the case, without the knowledge of the petitioner, the third respondent has transferred the said property in favour of his wife vide settlement deed Doc.No.289 of 2023. Moreover, the third respondent has failed to take care of the petitioner. Hence, he decided to cancel the aforesaid settlement deeds. Therefore, he made a representation dated 30.05.2023 before the second respondent to cancel the aforesaid settlement deeds, but the same was not considered. Subsequently, he made another representation dated 20.06.2023 before the first respondent, which forwarded to the second respondent on 16.08.2023 to conduct an enquiry. However, till date no enquiry has been conducted by the second respondent. Hence, the petitioner has come forward with the present writ petition.

4. Though very many grounds have been raised in this writ petition, learned counsel for the petitioner would submit that it would suffice if this Court issues direction to the respondents 1 & 2 to consider the petitioner's representation dated 30.05.2023 on merits, in accordance with law and pass appropriate orders within a time frame to be fixed by this Court.



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5. Learned Government Advocate appearing for the respondents 1 & 2

submitted that the second respondent has already initiated an enquiry proceedings and the same is posted on 12.03.2025 at 11.00 A.M. He further submitted that the aforesaid enquiry proceedings will be completed within a period of three months.

6. Heard the learned counsel on either side and perused the materials available on record.

7. In view of the submission made by the learned Government Advocate appearing for the respondents 1 & 2, this Court directs the second respondent to consider the petitioner's representation dated 30.05.2023, after giving due notice to the petitioner as well as to the third respondent, affording an opportunity of personal hearing on merits, in accordance with law and pass appropriate orders within a period of three months from the date of receipt of a copy of this order.

8. This writ petition is disposed of with the above observation and



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direction. No costs.

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Index : Yes/No

Speaking Order : Yes/No

Neutral Citation : Yes/No

To:

- 1.The District Collector,
Coimbatore District.
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Coimbatore North,
Coimbatore.



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