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W.P.No.40056 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.02.2025

CORAM

THE HONOURABLE MR JUSTICE J.SATHYA NARAYANA PRASAD

W.P.No.40056 of 2024

Thirupporani Ammal

.... Petitioner

Vs.

1. The District Collector,
Salem District, Salem.
2. The Revenue Divisional Officer,
Salem Division, Salem District.
3. The Superintendent of Police,
Salem District, Salem.
4. The Inspector of Police
Ammamet Police Station, Salem City.
- 5.S.Thenmozhi
6. L.Loganayagi
- 7.P.Gomathi

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first and second respondents herein to pass order cancelling the gift deed executed by the petitioner in favour of her daughters dated 04.10.2010 in Document No.4884/2010 on the file of the Joint Sub-Registrar office No.1, Salem East based on the representation of the petitioner dated 30.09.2024 under Sections 5 and 23 of Maintenance and Welfare of Parents and Senior Citizens Act 2007 within time frame to be fixed



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by this Court.

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For Petitioner : Mr.C.Munusamy
For R1 to R4 : Mr.A.Anandan
Government Advocate
For R6 & R7 : Mr.K.Selvaraj

ORDER

This Writ Petition is filed for issuance of a Writ of Mandamus to direct the first and second respondents herein to pass order cancelling the gift deed executed by the petitioner in favour of her daughters dated 04.10.2010 in Document No.4884/2010 on the file of the Joint Sub-Registrar office No.1, Salem East based on the representation of the petitioner dated 30.09.2024 under Sections 5 and 23 of Maintenance and Welfare of Parents and Senior Citizens Act 2007 within time frame to be fixed by this Court.

2. At the outset, Mr.A.Anandan, learned Government Advocate appearing for the respondents 1 to 4 would submit that, he has received written instructions from the second respondent/Revenue Divisional Officer in Roc.No.3124/2024/B1 dated 04.02.2025, in which it is stated that the petitioner was summoned on 13.01.2025 in connection with a petition filed under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007. Thereafter,



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an inquiry was conducted on 21.01.2025 before the second respondent and the next date of hearing is mentioned as 12.02.2025.

3. Heard both sides and perused the materials available on record.

4. In view of the above submissions made by the learned counsel on either side, this Court directs the second respondent to conclude the proceedings, upon considering the petitioner's representation dated 30.09.2024 by conducting a detailed enquiry and after affording an opportunity of hearing to the petitioner and the aggrieved persons, if any, and pass appropriate orders on merits and in accordance with law, within a period of four (4) weeks from the date of receipt of a copy of this order.

5. With the above observations, this Writ Petition is disposed of. No costs.

05.02.2025

Speaking/Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

jd



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To

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J.SATHYA NARAYANA PRASAD,J.,
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