



W.P.(MD)No.3791 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.3791 of 2025

Nagarajan

... Petitioner

-VS-

- 1.The Revenue Divisional Officer,
Office of Revenue Divisional Office,
Pattukkottai, Thanjavur District.
- 2.The Executive Engineer,
Operation and Maintenance, TANGEDCO,
Pattukkottai, Thanjavur District.
- 3.The Assistant Executive Engineer,
Operation and Maintenance, TANGEDCO,
Pallathur, Thanjavur District.
- 4.M.Shanti

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent to dispose of the petition in Tha.Pa.No.18/2024/A6, dated 09.12.2024, filed under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 to cancel the gift deed dated 20.12.2021, executed by the petitioner in favour of the fourth respondent in respect of landed property along with RCC building admeasuring an extent of 20



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cents in Survey No.23/4B1 and 23/9A3A, situated at Rendampulikadu Village, Pattukottai Taluk, Thanjavur District, within the time frame fixed by this Court.

For Petitioner : Mr.D.R.Murugesan
For R1 : Mr.C.Venkateshkumar
Special Government Pleader
For R2 and R3 : Mr.S.Deenadhayalan
Standing Counsel

ORDER

This Writ Petition has been filed seeking a direction to the first respondent to dispose of the petition in Tha.Pa.No.18/2024/A6, dated 09.12.2024, filed under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 to cancel the gift deed dated 20.12.2021, executed by the petitioner in favour of the fourth respondent in respect of landed property along with RCC building, admeasuring an extent of 20 cents in Survey No.23/4B1 and 23/9A3A, situated at Rendampulikadu Village, Pattukottai Taluk, Thanjavur District.

2. With the consent of both sides, this Writ Petition is disposed of at the admission stage itself.



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3. The petitioner submits that he executed a registered gift deed in favour of the fourth respondent, his second daughter, for an RCC building named 'SNR Mahal' situated at Door No.2/109, covering an area of 20 cents in Survey Nos. 23/4B1 and 23/9A3A, situated in Rendampulikadu Village, Pattukkottai Taluk, Thanjavur District. Although the settlement deed was executed by the petitioner on 20.12.2021 in favour of the fourth respondent, the petitioner remains in possession and enjoyment of the property, having paid the property tax, water connection charges, and electricity consumption charges related to the said property.

4. The petitioner further submits that his wife, Mahadevi, suddenly fell ill and was affected by paralysis due to a blood clot in 2022, and she has been bedridden ever since. It is submitted that since the petitioner's daughter / the fourth respondent herein neither provided care nor contributed to her mother's medical expenses, the petitioner submitted a petition to the first respondent on 03.07.2024, requesting him to cancel the gift deed dated 20.12.2021, which is still pending adjudication. Meanwhile, the fourth respondent approached the respondents 2 and 3 for transfer of the electricity service connections (Nos.377



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and 861) which stand in the petitioner's name, for which, the petitioner raised an objection on 07.01.2025. However, the respondents 2 and 3 proceeded with the transfer, disregarding the petitioner's pending petition before the first respondent. Therefore, the petitioner has filed the present Writ Petition.

5. The learned Special Government Pleader appearing for the first respondent submits that, following the petition received from the petitioner on 09.12.2024, the first respondent conducted an enquiry, which has now been completed. Appropriate orders will be passed within a time frame to be fixed by this Court.

6. Heard both sides.

7. Considering the above said submissions, there shall be a direction to the first respondent to consider the petitioner's petition dated 09.12.2024, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner, the fourth respondent as well as all other persons, who may be interested in the subject matter, within a period of four weeks from the date of receipt of a copy of this order. It is also made clear that this Court has



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not expressed any of its views with regard to the merits of the matter and that it is open to the first respondent to consider the same on its own merits.

8. With the above directions, the Writ Petition stands disposed of. There shall be no order as to costs.

NCC : Yes / No
Index : Yes / No
smn2

13.02.2025

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VIVEK KUMAR SINGH, J.

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