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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.07.2026

CORAM

THE HONOURABLE MR.JUSTICE **HEMANT CHANDANGOUDAR**

**W.P.No.41561 of 2025**
**and**
**W.M.P.No.46578 of 2025**

P.Nambi
S/o.Pandara Das ... Petitioner

vs.

1. The District Collector
   Chengalpattu District.

2. The Revenue Divisional Officer
   Tambaram Division
   Chengalpattu District.

3. The Tahsildar
   Pallavaram Taluk Office
   Chengalpattu District.

4. The Revenue Inspector
   Pallavaram Circle, Pallavaram Taluk
   Chengalpattu District.

5. Andan Babu
   S/o.P.Nambi

6. Andan Anand
   S/o.P.Nambi



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7. Andan Anbu Das
S/o.P.Nambi … Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of Certiorarified Mandamus, to call for the records pertaining to the impugned proceedings of the 2nd respondent in Na.Ka.No.332/2024/A1 dated 29.08.2025 and quash the same as it is against the very object of the Tamil Nadu Maintenance and Welfare of Parents and Senior Citizens Act, 2007 and consequently, direct the 2nd respondent to put the petitioner and his wife in possession of the residential portion of the 1st floor of the building bearing No.9, Senthuran Colony, Madipakkam, Chennai-600 091.

For Petitioner : Mr.P.Sesubalan Raja
For Respondents : Mr.M.Sivavarthanan
Government Counsel, for R1 to R4
Mr.J.Kamaraj, for R5 to R7

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**ORDER**

The petitioner challenges the order dated 29.08.2025 passed by the second respondent, by which his application seeking a direction to the private respondents to provide him with a residence was rejected. However, the second respondent directed each of the private respondents to pay Rs.10,000/- per month, aggregating to Rs.30,000/- per month, towards the petitioner's



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maintenance.

2. The petitioner is admittedly the owner of the residential building bearing Door No.3/51, No.9, Senthooran Colony, Madipakkam, consisting of a ground floor and three upper floors. According to the petitioner, he has been residing on the first floor of the said building and was forcibly evicted by the private respondents, who are his children. He, therefore, filed an application seeking maintenance and permission to reside in the said building. The application was partly allowed by granting maintenance of Rs.30,000/- per month. However, the second respondent declined to grant the petitioner the right to reside in the building on the ground that O.S. No.1091 of 2023, filed by the private respondents against the petitioner for permanent injunction, is pending before the Integrated Court, Pallavaram.

3. Heard the learned counsel appearing for the parties and perused the materials on record.

4. Admittedly, there is no order of injunction or restraint operating against the petitioner in the said suit. The property belongs to the petitioner, who is the father of the private respondents. Therefore, he is entitled to reside



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on the first floor of his residential building. Apart from their obligation to maintain the petitioner, the private respondents are also bound to ensure that he has a place to reside. In these circumstances, the decision of the second respondent rejecting the petitioner's request for residence is arbitrary and legally unsustainable. The petitioner has also undertaken that he will not interfere with the possession of the private respondents, who are residing on the third floor of the building, and any action to be taken against them, it shall be only in accordance with law.

5. In view of the above, the impugned order of the second respondent, insofar as it rejects the petitioner's request for residence, is liable to be set aside.

6. Accordingly, the Writ Petition is allowed. The impugned order dated 29.08.2025 passed by the second respondent, insofar as it rejects the petitioner's application seeking the right to reside on the first floor of the residential building, is set aside. The private respondents are forthwith directed to permit the petitioner to reside on the first floor of the said building. If they obstruct the petitioner from occupying the first floor, the jurisdictional police shall extend necessary police protection to enable him to take



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possession and reside therein. Consequently, the connected miscellaneous petition is closed. No costs.

14.07.2026

Speaking / Non-speaking order
Neutral Citation : Yes / No
Index : Yes / No

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*To*

1. The District Collector
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**HEMANT CHANDANGOUDAR, J.,**

*mk*

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