



W.P.(MD)No.15679 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.07.2026

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.15679 of 2023

and

W.M.P.(MD)Nos.13154, 13156 & 24443 of 2023

Sanjai

... Petitioner

-VS-

1.The State of Tamil Nadu,
Rep. By the Revenue Divisional Officer,
cum The Principal Officer,
The Senior Citizen Maintenance and Welfare Tribunal,
Madurai District.

2.Lakshmi Ammal

3.Swathi

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the entire records pertaining to the impugned order passed by the first respondent in proceedings in Mu.Mu.No.196/2023/J dated 25.04.2023 and quash the same as illegal.



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For Petitioner : Mr.P.M.Vishnuvarthanan
For Respondent No.1 : Mrs.K.R.Shivashankari,
Counsel for the State of Tamil Nadu
For Respondent No.3 : No appearance

ORDER

The present Writ Petition has been filed challenging the impugned proceedings of the first respondent in proceedings in Mu.Mu.No.196/2023/J dated 25.04.2023.

2.Learned Counsel for the petitioner would submit that the petitioner is the grandson of the second respondent and out of love and affection, executed a settlement deed in Doc.No.3268 of 2019 in favour of the petitioner and subsequently, she initiated proceedings under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007. The first respondent vide the impugned order dated 25.04.2023, directed the petitioner to provide shelter to the second respondent in the settled property. Challenging the same, the present Writ Petition has been filed.

3.Learned Counsel for the petitioner would submit that the petitioner is ready and willing to take care of the second respondent, however,



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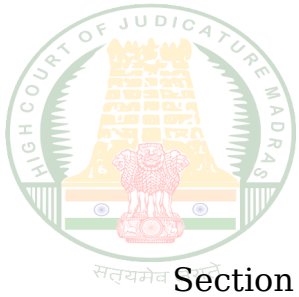
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insisting the petitioner to give a separate house ie., the settled property is not certainable and accordingly, he prays for appropriate orders.

4.Per contra, learned State Counsel for the first respondent would submit that since the petitioner has not taken care of the fourth respondent, she made a complaint under the Act before the first respondent. The first respondent, in order to ensure shelter to a senior citizen, has passed the impugned order, which need not be interfered with. Accordingly, he prays for appropriate orders.

5.Heard the learned Counsel for the parties.

6.Admittedly, in the present case, the petitioner is the grandson of the second respondent and the second respondent had made a petition before the first respondent under Maintenance and Welfare of Parents and Senior Citizens Act, 2007. The first respondent vide the impugned order dated 25.05.2023, had directed the petitioner to provide shelter to the second respondent in the subject settled property. Since the petitioner failed to take care of the second respondent who is now in streets, the first respondent, in order to ensure shelter to the third respondent has ordered for eviction, which is well within the powers of the first respondent under



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Section 21 of the Act. Hence, I am not inclined to interfere with the same.

This Court is also of the opinion that the second respondent is entitled to reside in the settled property, till her life time.

7. Accordingly, this Writ Petition stands dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

17.07.2026

NCC : Yes / No

Index : Yes / No

Internet: Yes / No

MR



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To
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cum The Principal Officer,
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M.DHANDAPANI, J.

MR

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