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W.P. No. 103 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.03.2024

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

**W.P. No. 103 of 2024
and
W.M.P. No. 108 of 2024**

V.Ganesan

... Petitioner

-VS-

1. The Sub Divisional Magistrate &
Revenue Divisional Officer,
South Chennai Division,
Guindy, Chennai - 32.

2. The Assistant Commissioner of Police,
Guindy Range,
Guindy - 600032.

3. Chitradevi

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the First Respondent to comply with the order dated 27.10.2023 passed by the First Respondent in proceedings bearing number A3/2798/2023 by directing the Third Respondent to vacate and handover vacant possession of the premises occupied by her in the Second floor of Number 26/3, Narmatha Street, Devikarumariamman Nagar, Velachery, Chennai - 42.



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For Petitioner : Mr. M.J.Jaseem Mohamed

For Respondents : Mr. S.J.Mohamed Sathik
Government Advocate (for R1)

Mr. J.Subbiah,
Government Advocate (Criminal Side)
(for R2)

Mr. A.K.Rajaraman (for R3)

ORDER

Heard Mr. M.J.Jaseem Mohamed, Learned Counsel for the Petitioner, Mr. S.J.Mohamed Sathik, Learned Government Advocate appearing for the First Respondent, Mr. J.Subbiah, Learned Government Advocate (Criminal Side) appearing for the Second Respondent and Mr. A.K.Rajaraman, Learned Counsel appearing for the Third Respondent and perused the materials placed on record, apart from the pleadings of the parties.

2. The Petitioner, who is a Senior Citizen, had made an application invoking Rule 20(2) of the Tamil Nadu Maintenance and Welfare of Parents and Senior Citizens Rules, 2009, for protecting her life and property from the Third Respondent, who is his daughter, before the First Respondent, which was



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granted by Order In Se. Mu. No. A3/2798/2023 dated 27.10.2023 and is sought to be implemented in this Writ Petition.

3. As the Writ Petition relates to *inter se* dispute between the family members, the matter was referred to mediation and the Petitioner and the Third Respondent had participated in it and have entered into a memorandum of compromise, which is annexed to this order and shall form part and parcel of it. It shall be obligation of the respective parties to carry out their respective obligations and in the event of any failure, the aggrieved parties are not precluded from working out their rights before the proper forum in the manner recognized by law.

4. Learned Additional Government Pleader appearing for the First Respondent, on instructions, states that enquiry has been fixed on 10.03.2024 on the application made by the Petitioner for grant of patta in respect of the property, which would be conducted following the prescribed procedure expeditiously.



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In the result, the Writ Petition is disposed on the aforesaid terms.

Consequently, the connected Miscellaneous Petition is closed. No costs.

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Index: Yes/No

NCC: Yes/No

Note: Issue order copy by 22.05.2024.

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To

1. The Sub Divisional Magistrate &
Revenue Divisional Officer,
South Chennai Division,
Guindy, Chennai - 32.
2. The Assistant Commissioner of Police,
Guindy Range,
Guindy - 600032.



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P.D. AUDIKESAVALU, J.

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