



W.P.(MD).No.28421 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.12.2024

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.28421 of 2024

Rasammal

... Petitioner

Vs.

The State of Tamil Nadu,
Rep. by its the Revenue Divisional Officer,
Aruppukottai Division,
Virudhunagar District.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the entire record pertaining to impugned proceedings O.Mu.Aa2/5149/2024 dated 07.11.2024 and quash the same as illegal and consequently direct the respondent to conduct enquiry under section 8 and section 23 of The Maintenance and Welfare of Parents and Senior Citizens Act, 2007 within a time stipulated by this Court.

For Petitioner : Mr.P.M.Vishnu Varthanan

For Respondent : Mr.T.Amjad Khan,
Government Advocate



W.P.(MD).No.28421 of 2024

WEB COPY

ORDER

This writ petition is filed to call for the entire record pertaining to impugned proceedings O.Mu.Aa2/5149/2024 dated 07.11.2024 and quash the same as illegal and consequently direct the respondent to conduct enquiry under section 8 and section 23 of The Maintenance and Welfare of Parents and Senior Citizens Act, 2007.

2.The claim of the petitioner is that her properties to an extent of three acres land comprised in survey Nos.107/2, 108/3, 186/2A, 186/2B, 186/3A & 186/3B in Manthoppu, Kariyapatti Taluk, Virudhunagar District, have been grapped by some unknown persons by forging her signature and creating fraudulent title documents. Hence, for the purpose of securing the same, she had made an application under Section 5 of the Maintenance and Welfare of the Parents and Senior Citizens Act, 2007. On appreciation of facts, the respondent had rejected the petitioner's application, for the same is not a case of desertion by the children of the petitioner but a case of land grapping.



W.P.(MD).No.28421 of 2024

WEB COPY

3.In view of the same, giving liberty to the petitioner to approach the appropriate Civil Court, this writ petition is disposed of without interfering with the impugned order. No costs.

03.12.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes
Sml

To

The State of Tamil Nadu,
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W.P.(MD).No.28421 of 2024

L.VICTORIA GOWRI, J.

Sml

W.P.(MD).No.28421 of 2024

03.12.2024