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W.P.No.3068 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.02.2025

CORAM

THE HON'BLE MR.JUSTICE **J.SATHYA NARAYANA PRASAD**
W.P.No.3068 of 2025

G,Thavamani
Petitioner

...

vs.

1. The District Collector,
Chennai Collectorate,
Chennai.
2. The Revenue Divisional Office,
Ambattur Division, Central Chennai Division,
Chennai.
- 3.G.Senthil
- 4.Prabu
- 5.G.Ananth

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of Mandamus directing the respondents 1 and 2 to implement the order dated 09.01.2024 vide Na.Ka.No.A4/8178/2023 passed by the second respondent.

For Petitioner : M/s.V.Inbarasi
for Mr.V.Sundarraman

For R1 & R2 : Mr.A.Anandan



W.P.No.3068 of 2025

Govt.Advocate.

ORDER

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By consent, the Writ Petition is taken up and disposed of at the admission stage itself.

2. The present writ petition has been filed to issue a writ of mandamus directing the directing the respondents 1 and 2 to implement the order dated 09.01.2024 vide Na.Ka.No.A4/8178/2023 passed by the second respondent.

3. It is the case of the petitioner that originally the property belongs to the petitioner's husband viz., Gopal. Her husband died on 12.09.2021 leaving behind herself, her daughter and her sons, the respondents 3 to 5 as his class I legal heir. Thereafter, she purchased a property situated at Old No.89, New No.27, MTH Road, Vardarajapuram, Chennai measuring to an extent of 2620 sq.ft and the same has been constructed which have been used as a mini hall. Thereafter, the respondents 4 and 5 visited the petitioner's property requesting her to part with the keys of the house situated at the said place having a building construction to clean and maintain the said property. The petitioner handed over the keys to the



W.P.No.3068 of 2025

respondents 4 and 5, and thereafter the respondents 4 and 5 have taken the above mentioned property documents, her Aadhar Card, ration card bank pass book.

4. It is the further case of the petitioner that when she tried to enter her husband's house, she was driven out of the house by the respondents 3 to 5. The respondents 3 to 5 have locked the property standing in the petitioner's name, the petitioner made a complaint/representation to the first respondent on 19.09.2022 to take action against the respondents 3 to 5. On such receipt of the said complaint, the first respondent had not taken any action against the respondents 3 to 5 and she is entitled to protection under Sections 4 and 24 of the Maintenance an Welfare of Parents and Senior Citizens Act, 2007. Aggrieved by the said representation of the petitioner dated 19.09.2022, the petitioner filed W.P.No.10892 of 2023 to direct the first respondent to take action against the respondents 3 to 5 and the said writ petition was disposed on 11.04.2023. Again, the petitioner had made a representation dated 20.06.2023 to the first respondent along with the order passed by this Court in the above said writ petition. Thereafter, the first respondent had forwarded the said representation



W.P.No.3068 of 2025

dated 19.09.2022 to the second respondent. After hearing both the parties, the second respondent passed an order dated 09.01.2024 directing the respondents 3 to 5 to return her personal belongings, title deed which they took from her, house key, Aadhar Card, Bank Pass Book to her and also directed the respondents 3 to 5 to provide take care of the medical expenses and other necessary expenses. Till date, the respondents 3 to 5 had not complied with the said order dated 09.01.2024 passed by the second respondent. The petitioner had also made a representation dated 01.04.2024 to the first respondent which had been delivered on the first respondent on 05.04.2024. Even, after receipt of the said representation dated 01.04.2024, the respondents 1 and 2 had not taken any steps to implement the order dated 09.01.2024 passed by the second respondent. Hence, the petitioner has filed the present writ petition before this Court.

5. The learned counsel appearing for the petitioner submitted that the second respondent passed an order dated 09.01.2024 directing the respondents 3 and 5 to hand over the key to the petitioner and to return the petitioner's personal belongings, title deed taken away, the petitioner's Aadhar Card, Bank Pass Book and also directing the respondents 3 to 5 to



W.P.No.3068 of 2025

to provide take care of the medical expenses and other necessary expenses to the petitioner.

6. The learned counsel further submitted that the respondents 3 to 5 have not complied with the order dated 09.01.2024 passed by the second respondent. Again the petitioner has given a representation dated 01.04.2024 to the first respondent and the same was not considered till date.

7. The learned Government Advocate appearing for the respondents 1 and 2 submitted that the representation of the petitioner dated 01.04.2024 will be considered on merits and in accordance with law within a time stipulated by this Court.

8. Heard the learned counsel appearing on either side and also perused the materials available on records.

9. In view of the submissions made by the learned counsel on either side, the first respondent is directed to consider the representation of the



W.P.No.3068 of 2025

petitioner dated 01.04.2024 after giving due notice to both the parties, affording opportunity of personal hearing, on merits, in accordance with law and pass appropriate orders, within a period of six weeks from the date of receipt of a copy of this order.

10. This writ petition stands disposed of with the above direction.

No costs.

03.02.2025

Index : Yes/No.
Internet : Yes/No.
Neutral Citation : Yes/No
Speaking : Non-speaking Order
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W.P.No.3068 of 2025

To

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J.SATHYA NARAYANA PRASAD, J.

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WEB COPY



W.P.No.3068 of 2025

W.P.No.3068 of 2025

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