



W.P.No.5451 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.02.2025

CORAM:

THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

W.P.No.5451 of 2025

N.V.Munusamy

...Petitioner

-Vs-

1.The District Collector,
District Collectorate Office,
Ranipet,
Ranipet District – 632 403.

2.The Revenue Divisional Officer,
Ranipet,
Ranipet District – 632 401.

3.The Tahsildar,
Sholinghur Taluk Office,
Sholinghur,
Ranipet District – 631 102.

4.M.Kannaiyan

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a direction in the nature of Writ of Mandamus, directing the 2nd and 3rd respondents to pass order, based on the representation sent by the petitioner dated 05.04.2024 and pass such further orders.



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For Petitioner : Mr.M.Gangatharan
For R1 to R3 : Mr.A.Anandan
Government Advocate

ORDER

This writ petition has been filed to direct respondents 2 and 3 to pass an order based on the representation sent by the petitioner dated 05.04.2024.

2. The Petitioner has purchased a piece of land from one Mr.M. Pughalendhi vide Sale Deed Document No.1618/1999 dated 23.07.1999 measuring around 1 acre in his name situated at Kondakuppam Village bearing Survey No.497/6 and the said land was used by the Petitioner for doing agriculture. Thereafter, the Petitioner purchased another piece of land in the year 2007 from one Mr.M.E.Kasthuri vide Sale Deed Document No.2335/2007 dated 20.07.2007 measuring around 80 cents bearing Survey No.498. The revenue records were also mutated in favor of the petitioner. The Petitioner's wife was granted 54 cents by the Government of Tamil Nadu under the Special Scheme for Allotment of Land to Landless Poor Farmer Families, 2006, bearing survey No.293/9 in the name of Jayalakshmi in the year 2006.



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3. In the year 2019, the 4th respondent asked the Petitioner's wife to make a settlement of the said land in his favour for obtaining a loan for repaying debt. He assured that once he get the loan process done, he will make a settlement back to the Petitioner's wife. Believing the words of her son, the Petitioner's wife gave settlement of the land, which was granted to her by the Government of Tamil Nadu bearing survey No.293/9 vide Document No. 2919/2019 dated 12.11.2019, but he failed to do so. Again in the year 2022, the 4th respondent asked for the lands, which is in the name of the Petitioner, claiming that the debt amount is not fully repaid, so he wants the Petitioner's Land to be Mortgaged and he will pay Mortgaged amount and return the property once he settles his debts. Believing the words of the 4th respondent the Petitioner agreed for the Mortgage. Since the Petitioner and his wife are senior citizens and illiterate persons, he fraudulently misled the Petitioner and sold the Petitioner's land too. The land which the Petitioner's wife gave vide settlement deed to his younger son for taking a loan, has also been sold by him in the year 2023. The Petitioner and his wife had no knowledge about the sale of their lands at that stage. Subsequently, the 4th respondent began using hateful speech and abusive language towards them and even forced them out of their house. They had not received a single

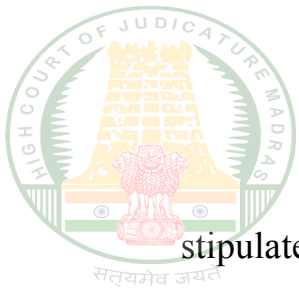


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penny from their younger son. Currently, the Petitioner and his wife are living in a rental house.

4. Learned counsel appearing for the petitioner would submit that the Petitioner sent a detailed representation to the 2nd respondent dated 05.04.2024, citing the reasons for the cancellation of the Sale Deed and Settlement Deed, which have been fraudulently sold by the 4th respondent, and also claimed Maintenance for living under the Maintenance and Welfare of Parents and Senior Citizen Act, 2007. After that on 03.06.2024, the Petitioner received notice from the Sub-Collector of Ranipet which was forwarded by the 2nd respondent to the 3rd respondent to conduct enquiry based on the Petitioner's representation dated 05.04.2024 through his proceedings in Oo.Mu/A4/1275/2024 dated 03.06.2024. But till now no inquiry has been conducted by respondents 2 and 3, and his grievance is still kept in abeyance. Hence, this present writ petition is filed.

5. Learned Government Advocate appearing for respondents 1 to 3 would submit that the representation of the petitioner dated 05.04.2024 would be considered on merits, in accordance with law within a time frame



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stipulated by this Court.

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6. Heard both sides and perused the materials available on record.

7. Without going into the merits of the case, the second respondent is directed to consider the representation of the petitioner dated 05.04.2024 after giving due notice to the petitioner, affording an opportunity of personal hearing to the petitioner as well as rival claimants/interested parties if any, to take into consideration all the relevant documents submitted by the parties in regard to the subject matter property and pass appropriate orders on merits, in accordance with law thereby following the above principles of natural justice within a period of six (6) weeks from the date of receipt of a copy of this order.

In the result, the writ petition stands disposed of with the above observations and direction. No costs.

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cda

Index : Yes/No

Speaking/Non Speaking order



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J.SATHYA NARAYANA PRASAD, J.

cda

To

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