



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-06-2025

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THE HONOURABLE MRS JUSTICE N. MALA

WP.No.10988 of 2025

Karuppayee Ammal,
W/o.Veerapa Goundar, Indira Nagar,
Uthangarai Town and Post,
Krishnagiri District

Petitioner(s)

Vs

1.The District Collector,
Krishnagiri District.

2.The Revenue Divisional Officer,
Revenue Divisional Office, Krishnagiri.

3.Chitra,
W/o.Potaraj,
Karagur (vill),
Seriampatti Post,
Palcode Talk, Dharmapuri District.

4.Mohan,
S/o.Rajagopal, Minor
Rep. by next friend father Rajagopal,
D.No.1/4092b Second Street,
Ganapathi Nagar,
Poyampilliyam, Tiruppur Taluk,
Tiruppur District.

Respondent(s)



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 respondent to consider and pass orders on the petitioner's representation dated 30.10.2024 and dispose of the petitioner's representation dated 21.10.2021 preferred by the petitioner under Section 23 of the Maintenance and Welfare of the Parents and Senior Citizen Act, 2007 within a stipulated time as fixed by this Honourable Court and pass such further orders.

For Petitioner: Mr.P.M.Jayachandran

For R1 & R2 Mr.M.Anandan
Government Advocate

ORDER

This writ petition has been filed for issuance of a Writ of Mandamus, directing the 2nd respondent to consider and pass orders on the petitioner's representation dated 30.10.2024 and dispose of the petitioner's representation dated 21.10.2021 preferred by the petitioner under Section 23 of the Maintenance and Welfare of the Parents and Senior Citizen Act, 2007.

2. The case of the petitioner is that the petitioner is a 74-year-old widow residing in Chennai, and is the owner of a house site at Sunalampatti Village,



Krishnagiri District. She executed two settlement deeds in December 2019 in favour of her granddaughter and minor grandson (third and fourth respondents)

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under the influence and coercion of her son, Rajagopal, believing they would care for her. However, after execution, she was harassed, neglected, and thrown out of her home. She submitted a grievance petition on 08.02.2021, which was forwarded to the Revenue Divisional Officer (RDO), the second respondent, seeking cancellation of the settlement deeds under Section 23 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007. Despite an enquiry being conducted and statements recorded, no final order has been passed by the second respondent.

3. Learned Counsel appearing for the petitioner submits that the two settlement deeds dated 13.12.2019 and 16.12.2019 executed in favour of the petitioner's granddaughter and minor grandson were obtained by fraud, coercion, and undue influence by her son, Rajagopal. He submits that the petitioner had no intention to relinquish her rights entirely and executed the documents out of love and based on false assurances that her welfare would be



taken care of. However, after execution, the beneficiaries failed to provide any maintenance or basic needs and subjected her to harassment and ill-treatment, eventually forcing her out of the property. He further submits that the petitioner relies on Section 23 of the Maintenance and Welfare of the Parents and Senior Citizens Act, 2007, which provides for the cancellation of transfers made under coercion or where the transferee fails to provide basic amenities. He further contends that despite her repeated representations and the completion of the enquiry by the second respondent, no final order has been passed, causing continued hardship and suffering.

4. Learned Government Advocate appearing for respondents 1 and 2 submits that the second respondent has already initiated the enquiry proceedings and fixed the date of hearing on 04.02.2025 at 3 pm.

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

6. Without going into the merits of the case, the second respondent is directed to consider the representation of the petitioner dated 30.10.2024



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after conducting a detailed enquiry by giving due notice to the petitioner as well as respondents 3 and 4, affording an opportunity of personal hearing, 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, within a period of three months 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. Consequently, connected miscellaneous petition is closed.

30-06-2025

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Index: Yes/No

Speaking/Non-speaking order



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N. MALA, J.

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To

1.The District Collector,
Krishnagiri District.

2.The Revenue Divisional Officer,
Revenue Divisional Office, Krishnagiri.

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