



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-03-2025

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THE HONOURABLE MR JUSTICE J.SATHYA NARAYANA PRASAD

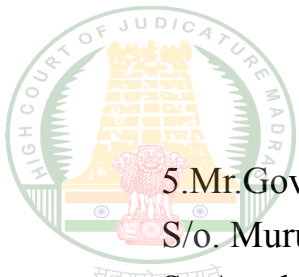
WP.No.9436 of 2025

Unnamalai
W/o.Murugan,
Now Residing at No.377,
Maariyamman Koil Street,
T.Vellore Village, Thanipadi Post,
Thandrapattu Taluk, Tiruvannamalai District.

Petitioner(s)

Vs

- 1.The District Collector,
O/o. District Collector Office,
Office at Vengikkal,
Tiruvannamalai-606 604.
- 2.The District Revenue Officer,
O/o. District Revenue Office, Tiruvannamalai
District.
- 3.The Revenue Divisional Officer,
O/o.Revenue Divisional Office, Tiruvannamalai.
- 4.The District Registrar,
O/o. District Registrar Office, Tiruvannamalai
District.



5.Mr.Govindhan

S/o. Murugan,

Se.Aandampattu Village, Thanipadi Post,
Thandrampattu Taluk, Tiruvannamalai 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 3rd respondent herein to dispose of petitioner's representation dated 24.06.2024 and consequently, to conduct enquire and thereby cancel the settlement deed in Doc.No.1167 of 2019, executed by the petitioner's husband in favour of the 5th respondent herein in respect of the petition mentioned property situated at Thaaniyadi village Thandrampattu Taluk, Tiruvannamalai District Grama Natham Old S.No.80/1, New S.No.80/66, measuring an extent of 1300 sq. ft. within a time frame as fixed by this Hon'ble Court.

For Petitioner(s): Mr.R.Abdul Mubeen
for M/s.H.Thameen Ansari

For R1 to R4: Mr.A.Anandan,
Government Advocate

ORDER

This writ petition has been filed for issuance of a Writ of Mandamus, directing the 3rd respondent herein to dispose of petitioner's representation dated 24.06.2024 and consequently, to conduct an enquiry and thereby cancel the settlement deed in Doc.No.1167 of 2019, executed by the petitioner's husband



in favour of the 5th respondent herein in respect of the petition mentioned property situated at Thaaniyadi Village Thandrapattu Taluk, Tiruvannamalai District Grama Natham Old S.No.80/1, New S.No.80/66, measuring an extent of 1300 sq. ft. within a time frame as fixed by this Court.

2. The case of the petitioner is that she is an elderly woman from Thaaniyadi Village, Tiruvannamalai District, and her husband, Murugan, executed a settlement deed (Doc.No.1167 of 2019) in favour of their son, the 5th respondent, expecting care in return. However, after the transfer, the 5th respondent abandoned them, leaving them in severe financial distress. The petitioner's husband, bedridden after a stroke, suffered extreme mental anguish and ultimately committed suicide. The petitioner, now in poor health and dependent on her first daughter, Munsu.

3. Learned counsel for the petitioner submits that the 5th respondent deceived the petitioner and her husband into executing the settlement deed and later failed to provide care. Therefore, the petitioner filed a representation on 24.06.2024 seeking cancellation of the deed under the Maintenance and Welfare



of Parents and Senior Citizen Act, 2007, but no action was taken. The 1st

respondent summoned the petitioner on 05.09.2024, but the 3rd respondent failed

to act on her representation. He further contends that the settlement deed was

obtained through undue influence and must be revoked to allow her to live in

dignity in her old age. Hence, the present writ petition is filed.

4. He further contends that till date the petitioner has not received any notice from the 3rd respondent in regard to the enquiry conducted by the 3rd respondent.

5. Learned Government Advocate appearing for respondents 1 to 4 submits that already the enquiry has been initiated by the Revenue Divisional Officer, Tiruvannamalai, the 3rd respondent herein, and the enquiry is fixed on 28.03.2025.

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

7. Without going into the merits of the case, the 3rd respondent is directed to consider the representation of the petitioner dated 24.06.2024 after giving due notice to the petitioner and the 5th respondent, affording an



opportunity of personal hearing to the petitioner as well as the 5th

respondent, 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.

20-03-2025

cda

To

1.The District Collector,
O/o. District Collector Office,
Office at Vengikkal,
Tiruvannamalai-606 604.

2.The District Revenue Officer,
O/o. District Revenue Office, Tiruvannamalai District.

3.The Revenue Divisional Officer,
O/o.Revenue Divisional Office, Tiruvannamalai.

4.The District Registrar,
O/o. District Registrar Office, Tiruvannamalai District.



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J.SATHYA NARAYANA PRASAD J.

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