



WEB COPY

WP.No.11285 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.07.2025

CORAM

THE HONOURABLE MRS. JUSTICE N.MALA

WP.No.11285 of 2025

and

WMP.No.12728 of 2025

F.Antony Cruz,
S/o.Late Francis,
No.30/13, Kosa Street,
Cantonment, Poonamallee,
Chennai -600056.

Petitioner(s)

Vs

1.The District Collector,
Kancheepuram District.

2.The Revenue Divisional Officer,
Sriperumbudur,
Kancheepuram District.

3.Jainy Paniammal,
W/o.Venkataramanan,
No.13/30, Kosa Street, Cantonment,
Poonamallee, Chennai – 600056.

Respondent(s)



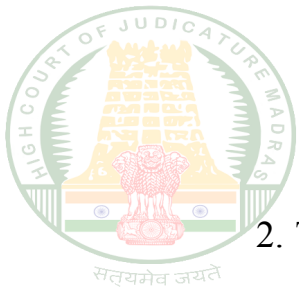
Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a direction in the nature of Writ of Certiorarified Mandamus, calling for the record of proceedings of the 2nd Respondent in impugned order dated 18.08.2024 bearing Na.Ka.No.2659/2023/A1, quash the clause No.2 of the same and consequently direct the 3rd Respondent to vacate and handover the Petitioner's property comprised in Town Survey No.691 measuring an extent of 2080 1/2 sq.ft. situated at Mangadu Village, Sirperumbudur Taluk, Kancheepuram District and pass such further orders.

For Petitioner: Mr.R.Ragavendran

For Respondents: Mr.A.Anandan,
Government Advocate
for R1 & R2

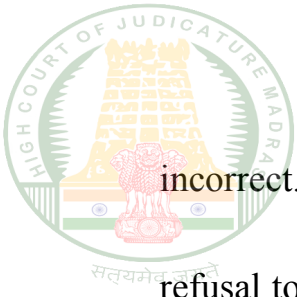
ORDER

This writ petition has been filed for issuance of a Writ of Certiorarified Mandamus, calling for the record of proceedings of the 2nd Respondent in impugned order dated 18.08.2024 bearing Na.Ka.No.2659/2023/A1, quash the clause No.2 of the same and consequently direct the 3rd Respondent to vacate and hand over the Petitioner's property comprised in Town Survey No.691 measuring an extent of 2080 1/2 sq.ft. situated at Mangadu Village, Sirperumbudur Taluk, Kancheepuram District.



2. The petitioner is the owner of property measuring 2080 square feet in Mangadu Village, Sriperumbudur Taluk, which was purchased through a registered sale deed dated 14.06.2006. During the COVID-19 pandemic, the 3rd respondent requested permission to stay in the property due to financial difficulties, promising to vacate once conditions normalised. The petitioner allowed her to stay, but post-pandemic, she refused to leave and allegedly threatened and assaulted the petitioner. On 20.06.2023, the petitioner submitted a representation to the 2nd respondent under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, seeking eviction of the 3rd respondent. Following an inquiry, the second respondent passed an order on 18.08.2024, stating that the petitioner was receiving a monthly rent of Rs.15,000/- and that eviction could not be ordered under the Act.

3. Learned counsel appearing for the petitioner contends that the second respondent's order was passed without properly appreciating the facts and evidence. The claim that the petitioner is receiving Rs.15,000/- as rent is



incorrect. The 3rd respondent was only permitted to stay temporarily, and her refusal to vacate is illegal. The second respondent failed to exercise jurisdiction under the Senior Citizen Act to provide relief to the petitioner. Therefore, the petitioner has filed the present writ petition seeking to quash Clause No.2 of the impugned order dated 18.08.2024 and direct the 3rd respondent to vacate and hand over possession of the property.

4. Learned Government Advocate appearing for respondents 1 and 2 submits that the petitioner has an appeal remedy before the first respondent without insisting on the appeal remedy, he directly approached this Court by way of filing this writ petition.

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

6. In view of the aforesaid submission, the petitioner is directed to prefer an appeal challenging the order passed by the second respondent dated 18.08.2024 to the first respondent. The period from the date of the order passed by the second respondent till the date of filing the writ petition shall be excluded



for the purpose of calculating the limitation period.

WEB COPY

In the result, the **writ petition stands disposed of with the above observations and direction.** No costs. Consequently, connected miscellaneous petition is closed.

11.07.2025

Cda/AP

Index: Yes/No

Speaking/Non-speaking order

To

1.The District Collector,
Kancheepuram District.

2.The Revenue Divisional Officer,
Sriperumbudur,
Kancheepuram District.



WEB COPY

WP.No.11285 of 2



N.MALA, J.

Cda/AP

WP.No.11285 of 2025

11.07.2025