



W.P.No.13374 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.04.2025

CORAM:

THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

W.P.No.13374 of 2025

S.Govindammal

...Petitioner

Vs-

1. The District Collector cum Appellate Authority,
Office of District Collectorate,
Tiruvannamalai District-606 601.

2. The Sub-Registrar,
Sub-Registrar Office-Tiruvannamalai Joint II,
Tiruvannamalai-606 601.

3. S.Kavitha

4.P.Kalpana

5.R.S.Usha

6.R.S.Gowthami

7.R.S.Senthil Kumar

...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, to direct the first respondent to dispose of the pending Appeal dated 06.02.2025 made against the Order passed in Case.A4/2727/2022 dated 23.09.2022 by the Presiding Officer and, to direct the second respondent not to register any further Registration of the Property Scheduled in the Settlement Deed



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Doc.No.426/2017, till disposal of the Appeal before the 1st respondent and to made entry of the Protest Petition No.37/2025 dated 06.02.2025 in the Encumbrance Certificate.

For Petitioner : Mr.R.Kalyan Kishen Singh

For Respondents : Mr.A.Anandan
Government Advocate
For R.1
: Mr.R.Sasi Kumar
Government Advocate
For R.2

ORDER

Mr.A.Anandan, learned Government Advocate takes notice on behalf of the first respondent and Mr.R.Sasi Kumar, learned Government Advocate takes notice on behalf of the second respondent. With the consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

2. This writ petition has been filed to direct the 1st respondent to dispose of the pending Appeal dated 06.02.2025 made against the Order passed in Case.A4/2727/2022 dated 23.09.2022 by the Presiding Officer and, to direct the second respondent not to register any further Registration of the Property Scheduled in the Settlement Deed Doc.No.426/2017, till disposal of the Appeal before the 1st respondent and to make entry of the Protest Petition



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No.37/2025 dated 06.02.2025 in the Encumbrance Certificate.

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3. The case of the petitioner is that she is the absolute owner of the property Scheduled in the Settlement Deeds, Doc.No.426/2017 dated 03.02.2017 and Doc.No.6398/2018 dated 14.08.2018 and the respondents 3 to 7 are the daughters and son of the petitioner.

4. The petitioner had executed the above Settlement Deeds in favour of the respondents 3 to 7 and the respondents 3 to 7 have also promised the petitioner that they will take care of the petitioner and her husband. It is the further case of the petitioner that the respondents failed to take care the petitioner and her husband and also thrown out of the house. The petitioner then filed a Complaint before the Presiding Officer, Maintenance Tribunal. The Presiding Officer, by Order dated 23.09.2022 directed the respondents 3 to 7 to deposit Rs.2,000/- each to the petitioner's bank Account every month. The respondents failed to comply with the order dated 23.09.2022 passed by the Presiding Officer and the petitioner's husband also expired on 05.10.2023. The petitioner, at her old age, was living with a huge struggle and not able to maintain herself and now was



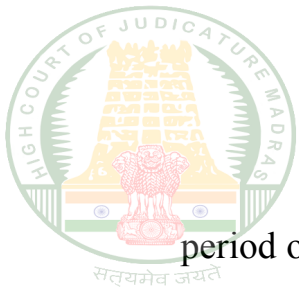
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staying in her sister's house. The petitioner filed a Protest Petition before the 2nd respondent not to allow any further registration activity of the Property Scheduled in the above Settlement Deeds. The Petitioner made an Appeal before the 1st respondent on 06.02.2025 and no further adjudication was made by the first respondent on the petitioner's appeal. Hence the petitioner has filed the present writ petition seeking for the above relief.

5. Learned Government Advocate appearing for the first respondent would submit that the appeal filed by the petitioner dated 06.02.2025 in Cas.A.4/2727/2022 will be disposed of on merits and in accordance with law within the time stipulated by this Court. Learned Government Advocate further submits that enquiry has already been initiated and the next date of hearing is on 22.04.2025.

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

7. Considering the facts and circumstances of the case, the first respondent is directed to consider the appeal dated 06.02.2025, filed by the petitioner and pass orders on merits and in accordance with law within a



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period of three months from the date of receipt of a copy of this.

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8. The writ petition is disposed of with the above direction. No costs.

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sr

Index : Yes/No

Speaking/Non Speaking order

To

1. The District Collector cum Appellate Authority,
Office of District Collectorate,
Tiruvannamalai District-606 601.
2. The Sub-Registrar,
Sub-Registrar Office-Tiruvannamalai Joint II,
Tiruvannamalai-606 601.



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J.SATHYA NARAYANA PRASAD, J.

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