



W.P No.21573 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.06.2025

CORAM:

THE HONOURABLE MRS. JUSTICE N.MALA

W.P No.21573 of 2025

Deivanai

..... Petitioner

Vs

1.The District Collector
Singaravelar Maligai
Rajaji Salai
Chennai District
Chennai-600 001.

2.The Revenue Divisional Officer
O/o.Revenue Divisional Officer
Central Chennai Division
Chennai District.

3.P.Munusamy
4.P.Krishnan
5.P.Elumalai

..... Respondents

PRAYER: This writ petition is filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the 2nd respondent to cancel the Settlement Deed Document No.1510 of 2004 executed in favour of the respondents 3 to 5 registered in SRO, Ashok Nagar by the petitioner, under Section 23 of The Maintenance and Welfare of Parents and Senior Citizens Act 2007 by considering the petitioner's application dated 24.07.2024.



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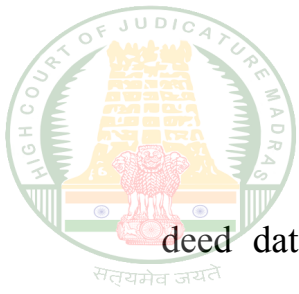
W.P No.21573 of 2025

For Petitioner : Mr.P.Arunkumar
For R1 & R2 : Mr.K.Suresh
Government Advocate

ORDER

This writ petition is filed to issue a Writ of Mandamus, directing the 2nd respondent to cancel the Settlement Deed dated 24.05.2004 executed by the petitioner in favour of the respondents 3 to 5 registered on the file of SRO, Ashok Nagar, under Section 23 of The Maintenance and Welfare of Parents and Senior Citizens Act 2007, by considering the petitioner's representation dated 24.07.2024.

2. The petitioner is the owner of the property bearing Plot No.364, Door No.7, 16th Street, Malligaipoo Nagar, Ashok Nagar, Chennai-600 083, having purchased the same from the Tamil Nadu Slum Clearance Board by way of a registered sale deed dated 6.10.2003. The respondents 3 to 5 are the sons of the petitioner. The respondents 3 to 5 prevailed upon the petitioner to execute a Will in their favour. The petitioner was taken to the Registrar office for execution of the Will, but, instead the respondents 3 to 5 cheated and created a settlement deed in their favour. After the execution of the settlement



W.P No.21573 of 2025

deed dated 24.05.2004, the respondents 3 to 5 failed to take care of the petitioner and neglected to maintain her. The petitioner, therefore filed an application to the 2nd respondent on 24.07.2024, seeking to cancel the settlement deed fraudulently obtained by the respondents 3 to 5. On 20.01.2025, the 2nd respondent issued summons to the petitioner informing that the enquiry was fixed on 31.01.2025. The petitioner participated in the enquiry by submitting a detailed statement along with necessary documents. Thereafter, no action was taken. Therefore, the petitioner was constrained to file this writ petition seeking for the aforesaid relief.

3. The learned Government Advocate appearing for the respondents 1 & 2 submitted that the enquiry is over and that the matter is pending for passing final orders.

4. Considering the fact that the enquiry is over and only, an order has to be passed, I am inclined to issue a direction to the 2nd respondent to pass appropriate orders on the petitioner's application dated 24.05.20004, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.



W.P No.21573 of 2025

N.MALA, J.

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5. Accordingly, this Writ Petition stands disposed of.

18.06.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
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To

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Rajaji Salai
Chennai District
Chennai-600 001.

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W.P No.21573 of 2025