



W.P. No.22027 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2025

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THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P. No.22027 of 2025
and
W.M.P. No.24759 of 2025

T.M.Nambi

Petitioner(s)

Vs

- 1.The District Collector,
Collectorate Office, Thiruvallur District.
- 2.The Revenue Divisional Officer,
Thiruvallur District.
- 3.The Sub-Registrar,
Joint-II, South Chennai, Chennai District.
- 4.Gopinath

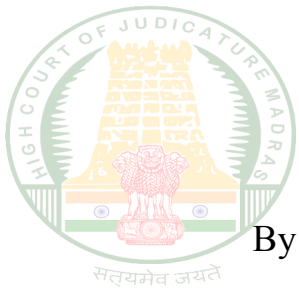
Respondent(s)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the 2nd respondent to expedite the proceedings for the representation/petition dated 31.01.2025 given by the Petitioner within a fixed time frame.

For Petitioner(s) : Mr.M.Arun

For Respondent(s) : Mr.U.Baranidharan
1 to 3 Special Government Pleader

ORDER



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By consent of learned counsel on both sides, this writ petition is taken up for final disposal at the admission stage itself. In view of the order that this Court proposes to pass and also the limited relief that is sought to be granted, notice to the 4th respondent is dispensed with.

2. The present writ petition is filed praying for a writ of mandamus to direct the 2nd respondent to expedite the proceedings in respect of the petitioner's representation/ petition dated 31.01.2025.

3. It is submitted by the learned counsel for petitioner that the petitioner is a Senior Citizen aged about 68 years. It is the case of the petitioner that he acquired the property in Survey No.31/2, Perulagaram Village, Poonamalle Taluk, Tiruvallur District, within the Sub-Registration District of Joint-2, Saidapet, South Chennai which originally belonged to his mother Late Mrs.Jayalakshmi, vide registered Will in favour of the petitioner registered as Document No.70/2010. Further, the petitioner has acquired another property comprised in Survey Nos.31/2A1B, bearing Plot Nos.A5 and A6 situated at Perulagaram Village, Ponnammalle Taluk, Tiruvallur District. The petitioner had executed a settlement deed in respect of another property comprised in Survey Nos.64/4 and 64/5 situated in Perulagaram Village, Maduravoil Taluk, Tiruvallur



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District, within the sub-registration district of Joint-2, Saidapet, South Chennai

Registration District, which was stated to have been purchased by the petitioner out of his self earnings. While so, the petitioner had executed a settlement deed in favour of his son/ 4th respondent herein, registered as Document Nos.1344/2017, 2669/2021 and 2670/2021 dated 03.07.2017, 28.10.2021 and 28.10.2021 respectively on the file of Joint-2, Saidapet, Sub-Registrar.

3.1. It is further submitted that apart from the above three properties the petitioner has settled few other properties which have already been sold, the petitioner is thus left with these three properties which continues to be with the 4th respondent. The 4th respondent had failed to take care of the petitioner, the petitioner had thus in terms of Section 23 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007(hereinafter referred to as “the Act”), taken out an application/ representation before the 1st respondent.

4. At the outset, it is submitted by Mr.A.Selvendran, learned Special Government Pleader for respondents that the petitioner may take out an application to the 2nd respondent, who would constitute “Tribunal” in terms of Section 7 of the Act, for adjudicating the claim. To which, the learned counsel for petitioner would submit that they would do so, within a period of one week from today.



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5. In view of thereof, the petitioner may take out an application before the 2nd respondent within a period of one week from today, the appropriate respondent shall consider and pass orders under Section 23 of the Act, within a period of three weeks from the date of receipt of such application/ representation, after affording the petitioner as well as 4th respondent a reasonable opportunity of hearing. It is made clear that this Court has not expressed any views with regard to the merits of the case and it is open to the concerned respondent to consider the matter on its own merits and in accordance with law.

6. Accordingly, the writ petition stands disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

23.06.2025

Speaking (or) Non Speaking Order

Index : Yes/ No

Neutral Citation: Yes/No

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To:

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MOHAMMED SHAFFIQ, J.

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