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W.P.No.26288 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.07.2025

CORAM :

THE HONOURABLE MRS.JUSTICE N.MALA

Writ Petition No.26288 of 2025

P.Arumugam

... Petitioner

Vs.

1.The District Collector
Collectorate,
Salem District, Salem.

2.The Revenue Divisional Officer
Maintenance Tribunal
Collectorate, Salem District.

3.Pooja

4.Sonia

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Mandamus to direct the respondents 1 and 2 to dispose the petitioner application dated 09.12.2024 to pass orders on the petitioner application made under Section 23(2) of the Maintenance and Welfare of Parents and Senior Citizen Act, 2007.

Page No.1 of 6



WEB COPY



W.P.No.26288 of 2025

For Petitioner : Mr.T.Dharani

For Respondents : Mr.K.Suresh, GA for R1 and R2

ORDER

This writ petition is filed for a direction to the respondents 1 and 2 to pass appropriate orders on the petitioner's application submitted under Section 23(2) of the Maintenance and Welfare of Parents and Senior Citizen Act, 2007.

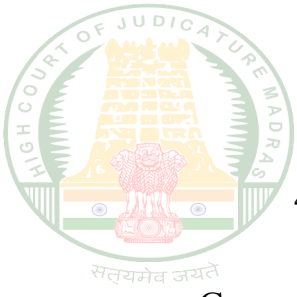
2. The petitioner is a senior citizen within the meaning of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007. The petitioner owned property in S.No.39/1A1A, with Patta No.50, measuring an extent of 1400 sq.ft, in Bodinayakkampatti Village, Suramangalam, Salem Taluk, Salem District. Out of his marriage, the petitioner had one son and one daughter. Whiles, the petitioner alongwith his daughter/Amutha, out of natural love and affection for his son/Saravanan executed a settlement deed



W.P.No.26288 of 2025

on 22.06.2011 in his son's favour. Unfortunately, the petitioner's wife, son/Saravanan and daughter in law passed away. After the demise of the petitioner's son, the grand daughters through his son along with their maternal uncle were threatening the petitioner to vacate the premises. The said action of the grand daughters mentally disturbed the petitioner, and therefore the petitioner submitted a representation on 26.02.2024, invoking section 23(2) of the Act, for cancellation of the aforesaid settlement deed dated 22.06.2011. As no action was taken till date by the official respondents, the petitioner filed the present writ petition.

3. The learned counsel for the petitioner submitted that the application of the petitioner dated 09.12.2024, was pending for more than seven months without any action. The learned counsel submitted that appropriate direction may be issued to the second respondent, to dispose of the petitioner's application dated 09.12.2024, within a time limit fixed by this Court.



W.P.No.26288 of 2025

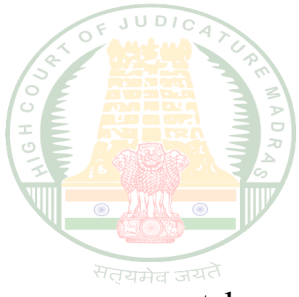
4. Heard the learned ccounsel for the petiitoner and the learned

Government Advocate appearing for the respondents 1 and 2 and perused the materials available on record. With consent of both counsels this writ pettion is taken up for final disposal. As no adverse orders are passed against the respondents 3 and 4, notice to them is dispensed with.

5. Considering the limited prayer sought for by the petitioner, this Court is inclined to direct the second respondent to consider the petitioner's application dated 09.12.2024, on merits and in accordance with the provisions of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 and pass appropriate orders within a period of eight weeks from the date of receipt of a copy of this order.

6. With the above direction, this writ petition is disposed of. No costs.

21.07.2025



W.P.No.26288 of 2025

WEB COPY

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Index : Yes/No
Speaking Order : Yes/No
Neutral Citation : Yes/No

To:

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Collectorate,
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2.The Revenue Divisional Officer
Maintenance Tribunal
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W.P.No.26288 of 2025

N.MALA, J.

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W.P.No.26288 of 2025

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