

W.P.No.27394 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.07.2025

CORAM:

THE HONOURABLE MRS.JUSTICE N.MALA

W.P.No.27394 of 2025

M. Mohammed Kani

... Petitioner

Vs.

1. The District Collector,
District Collectorate,
Cuddalore District.
2. The Revenue Divisional
Officer,
Maintenance Tribunal,
Cuddalore District.
3. The Superintendent of Police
District Police Office,
Cuddalore District.
4. Habiya
Respondents

...

PRAYER : Writ Petition filed under Article 226 of Constitution of India, to issue Writ of Mandamus to direct the respondents 1 to 3 to provide protection to the petitioner and his wife to peacefully reside in their patta land situated in Patta No.216, S.No.302/19, Venganoor Village, Cuddalore district under the provisions of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007.



W.P.No.27394 of 2025

WEB COPY

For Petitioner : M/s.T.Dharani

For Respondents : Mr.R.Murthi
Government Advocate for R1 & R2
Mr.R.Venkatesa Perumal
Government Advocate for R3

ORDER

This writ petition is filed for issuance of a Writ of Mandamus to direct the respondents 1 to 3 to provide protection to the petitioner and his wife to peacefully reside in their patta land situated in Patta No.216, S.No.302/19, Venganoor Village, Cuddalore district under the provisions of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007.

2. With the consent of both side counsels the main writ petition is taken up for disposal.

3. The petitioner is a senior citizen and is also a physically handicapped person. The petitioner and his wife are living separately and their two sons got married and living separately with their respective families. The petitioner due to space constraints decided to construct a small shelter in his own patta land bearing patta No.215, Survey No.302/19, situated in Venganoor Revenue

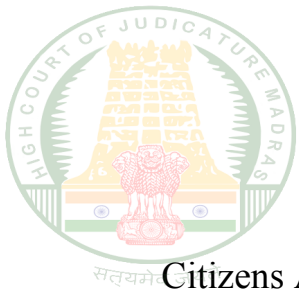


W.P.No.27394 of 2025

WEB COPY

Village. When the petitioner started making arrangements to build a small thatched shed for living, his second son's wife viz., the 4th respondent herein, started interfering and objected to the construction. The petitioner also states that the 4th respondent threatened to kill him, if he proceeded with the construction. According to the petitioner, the property legally stands in his name and he was entitled to live there. However, due to the constant threat and obstruction from his daughter-in-law, he was unable to reside in his own land. Hence the petitioner submitted a representation dated 07.05.2025 invoking provisions of Maintenance and Welfare of Parents and Senior Citizens Act, 2007, to the respondents against the 4th respondent. Despite the petitioner's said representation no action was taken by the respondents. Therefore, the petitioner filed the present writ petition for the aforesaid relief.

4. Considering the facts and circumstances of the case and taking into account that the petitioner's representation dated 07.05.2025, invoking provisions of Maintenance and Welfare of Parents and Senior Citizens Act, 2007 is kept pending by the respondents without any action being initiated, I am inclined to issue a direction to the 3rd respondent to consider the petitioner's representation dated 07.05.2025 and pass orders on merits and in accordance with the provisions of the Maintenance and Welfare of Parents and Senior



W.P.No.27394 of 2025

WEB COPY

Citizens Act, 2007, within a period of twelve weeks from the date of receipt of a copy of this order.

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

24.07.2025

dpq

Index : Yes /No

Speaking Order : Yes/No

To

1. The District Collector,
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N. MALA, J.



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W.P.No.27394 of 2025

dpq

W.P.No.27394 of 2025

24.07.2025