



WEB COPY



W.P.No.31064 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.08.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.31064 of 2025

U.Shanmugathai

... Petitioner

Vs.

1.The Collector,
Chennai District
Rajaji Salai, Chennai - 600001

2.The Home Secretary
St. George Fort, Secretariat, Chennai-600 109

3.The Revenue Divisional Officer
North Chennai (Revenue District),
Mahalakshmi Nagar, Puzhal,
Chennai, Tamil Nadu-600 060

4.The Commissioner Of Police
Avadi, Chennai-600 054

5.The Inspector Of Police
M-6, Manali, Police Station,
Chennai-600 068

7.U. Thangasamy

...Respondents



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Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus, directing the 3rd Respondent to pass an order in the enquiry conducted based on the Petitioner representation/complaint dated 21.02.2025 and further direct the 5th Respondent to provide protection under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007.

For Petitioner : M/s.S.S.Rajesh

For Respondents : M/s.K.Suresh, Govt. Advocate
for R1 to R5.

ORDER

The writ petition has been filed for the following reliefs:-

"directing the 3rd Respondent to pass an order in the enquiry conducted based on the Petitioner representation /complaint dated 21.02.2025 and further direct the 5th Respondent to provide protection under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007."

2. It is the case of the petitioner that she is a senior citizen and the widow of one Thiru Uthandu Nadar. She is having eight children including the 6th respondent herein. Currently, she is residing with her 2nd son due to harassment and exclusion by the 6th respondent.



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3. By utilizing the funds received from a family partition, the petitioner had purchased an immovable property at Door No.16-A, Lal Bahadur Sastri Street, Periahope, Manali Chennai- 600068 in the name of the 6th respondent under a registered sale deed dated 17.05.1991.

4. Over time, the 6th Respondent, in violation of the family understanding had started asserting ownership over the property, stopped paying the petitioner rent from commercial shops located on the property from February 2024, and attempted to alienate the property without consent. He had also filed false complaints against the Petitioner, causing her mental and emotional distress.

5. On 20.01.2024, a legal notice was issued by the Petitioner followed by a civil suit (O.S. No.328/2024) on the file of the Principal District Court, Tiruvallur, seeking declaration and partition. Despite legal proceedings, the 6th Respondent continues to harass and intimidate the Petitioner.

6. On account of the ongoing harassment, the petitioner had submitted representations dated 14.05.2024 and 21.02.2025 to the authorities under the Maintenance and Welfare of Parents and Senior



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Citizens Act, 2007 seeking protection and action against the 6th respondent. The 3rd Respondent had conducted an enquiry and received documentary evidence but had failed to pass any final order. Therefore, the petitioner has come forward with the Writ in question.

7. Heard the counsels on either side.

8. Considering the facts and circumstances of the case and taking into account the fact that the 3rd respondent, who is duty-bound to dispose of the statutory representation, has failed to discharge his obligation, the Writ Petition is allowed and a direction is issued to the 3rd respondent to pass orders in the enquiry conducted based on the representation of the petitioner dated 21.02.2025 within a period of two months from the date of receipt of a copy of this order. No costs.

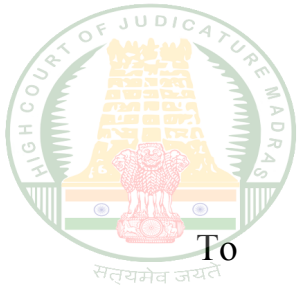
19.08.2025

(shr)

Index : Yes/No

Speaking Order: Yes/No

Neutral Citation : Yes/No



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To

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- 1.The District Collector
District Collector Office, Tiruppur District.
- 2.The Revenue Divisional Officer
Revenue Divisional Office, Dharapuram.
- 3.The Tahsildar,
Dharapuram.



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P.T. ASHA. J.,

(shr)

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