



W.P.No.1073 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:10.03.2025

Coram

THE HON'BLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

W.P.No.1073 of 2025

E.Muniyammal,
W/o Late P.M.ElappaReddiyar,
No.3, Rettambedu Road,
Near Fire Station,
Gummidipoondi,
Thiruvallur District 601 201.

.. Petitioner

/versus/

1.The District Collector,
Thiruvallur District, Thiruvallur.

2.The Revenue Divisional Officer,
Ponneri Revenue Division,
Ponneri.

3.The Tahsildar,
Gummidipoondi Taluk,
Gummidipoondi.

4.E.Magendiran,
S/o late P.M.ElappaReddiyar,
No.74, Nattanmaikarar Street,
Gummidipoondi,



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Thiruvallur District 601 201.

5.E.Manivarman,
S/o late P.M.ElappaReddiyar,
No.74, Nattanmaikarar Street,
Gummidipoondi,
Thiruvallur District 601 201.

.. Respondents

Writ Petition has been filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 3rd respondent to implement the order in COLREVCOLR/4189/2024/A-1 dated 11.06.2024 passed by the 2nd respondent by evicting the 4th and 5th respondents from the house.

For Petitioner :Mr.R.Muthukumar

For Respondents :Mr.A.Anandan, GA for R1, R2 and R3.

:Mr.El.Masilamani for R4

ORDER

The writ petition has been filed in the nature of issuance of a Writ of Mandamus directing the 3rd respondent to implement the order in COLREVCOLR/4189/2024/A-1, dated 11.06.2024 passed by the 2nd respondent by evicting the 4th and 5th respondents from the house.



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2. The brief facts of the case is as follows:-

The petitioner is the mother of the respondents 4 and 5. She filed a complaint against the respondents 4 and 5 before the first respondent under the provisions of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 and the same was forwarded to the second respondent/Revenue Divisional Officer for enquiry. Upon enquiry, by an order dated 11.06.2024, the second respondent directed the sons of the petitioner namely, respondents 4 and 5 to pay a sum of Rs.4000/- each per month separately towards medical and maintenance expenses and also directed the respondents 4 and 5 to vacate the house and handover the keys to the petitioner. Before passing the said order, the second respondent, the Inspector of Police, Gummidipoondi Police has registered a case against the respondents 4 and 5 and also the wife of the 5th respondent under Sections 323, 352, 506(2) and 34 of IPC and Section 4 of the Women Harassment Act in Crime NO.139 of 2024, based on the complaint lodged by the petitioner.

3. It is further stated that after passing the said eviction order, the



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respondents 4 and 5 did not vacate the house. Therefore, the petitioner again filed a petition before the first respondent and the same was forwarded to the 2nd respondent. The second respondent passed an order dated 14.08.2024, directing the third respondent to evict the respondents 4 and 5 and hand over the premises to the petitioner with the help of the police. However, the 3rd respondent replied that the work would be carried out by the police department only. The petitioner again filed a petition to the first respondent and the first respondent directed the Superintendent of Police to take necessary action and to file a report on the action taken regarding the order passed by the 2nd respondent. Even thereafter, the 3rd respondent did not take any action to evict the respondents 4 and 5. In the meantime, the respondents 4 and 5 filed a petition challenging the order passed by the second respondent and the same was dismissed by this Court on 26.09.2024. Even after this, the petitioner sent a petition to the Chief Minister of Tamil Nadu; the Chief Secretary, Government of Tamil Nadu; the Superintendent of Police and the respondents 1 to 3, but they did not respond. Hence, the petitioner has filed the present writ petition for the aforesaid prayer.



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4. The learned counsel appearing for the petitioner submitted that the writ petition has been filed to direct the 3rd respondent to implement the order in COL.RV/COLR/4189/2024/A1, dated 11.06.2024 passed by the second respondent by vacating the respondents 4 and 5 from the house.

5. The learned counsel appearing for the petitioner submitted that the fourth respondent has already handed over the key and taken all his belongings. Regarding to the fifth respondent, his children are studying in school and he requested a two months time till 30th April 2025 so enable the children to go to the school and write the examination, which are scheduled by the end of April 2025. He further submitted that he got instructions from the mother of the 5th respondent, who has also agreed, in the interest of the children, to permit the 5th respondent to remain until 30th April 2025

6. The learned counsel appearing for the respondents 1 and 2 has handed over the keys, which were given by the fourth respondent, to the learned counsel appearing for the petitioner before this Court today.



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7. The learned counsel appearing for the fourth respondent submitted that already he has vacated the premises, as per the order dated 06.10.2024 and all belongings have also been taken and the fourth respondent has vacated the house.

8. The learned counsel appearing for the 5th respondent submitted that the 5th respondent undertakes to vacate the said premises by 15th May 2025, as the children's examination will get over only on 30th April 2025.

9. Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondent 1 to 3 and also the learned counsel appearing for the 4th respondent and also perused the materials on record.

10. The 5th respondent is directed to vacate the subject matter premises, on or before 15.05.2025 pursuant to the order passed by the 2nd respondent on 11.06.2024, failing which, the second respondent will be



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directed to comply with the order passed by him with the help of the local police, if necessary.

11. With the above observations and directions, this Writ Petition is disposed of. No costs.

12. **Post the case on 05.06.2025 under the caption “for reporting compliance”.**

10.03.2025

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Index:yes/no

Speaking order/non speaking order

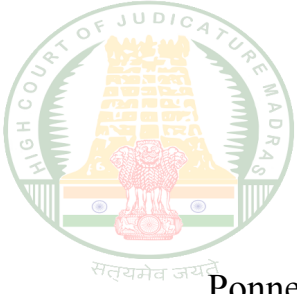
Neutral citation:yes/no

To:

1.The District Collector,
Thiruvallur District, Thiruvallur.

2.The Revenue Divisional Officer,
Ponneri Revenue Division,

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3.TheTahsildar,
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