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W.P.No.46211 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 03.12.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.46211 of 2025
and WMP.No.51538 of 2025

Yedhugiri Nachiyar

... Petitioner

Vs

1.The District Collector
Salem District.

2.The Revenue Divisional Officer
Salem.

3.Ramadevi

4.Babu

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the second respondent to consider and dispose of the petitioner's representation/complaint seeking relief under Section 23 of the Act in accordance with law, and to take appropriate action under the Senior Citizens Act, 2007, including initiation of proceedings for declaring the Gift Deed dated 24.03.2023 (Doc.No.319/2023, SRO Yercaud) as void, and to direct the official respondents to ensure protection of the petitioner's life, person and property under the provisions of the Senior Citizens



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Act, 2007 within a time frame to be fixed by this Court and pass orders.

For Petitioner : Ms.S.Vasanthi

For Respondents : Ms.S.Anitha
Special Government Pleader for R1 & R2

ORDER

This writ petition has been filed seeking issuance of writ of mandamus to direct the second respondent to consider and dispose of the petitioner's representation dated 20.02.2024, and also to set aside the gift deed executed by her in favour of the third respondent, as the same is void under Section 23 of the Senior Citizens Act and also to direct the official respondents to ensure protection to the petitioner and her property.

2. The petitioner herein is a senior citizen aged 80 years and widow of one late Rajaram. She has a son and two daughters. Her younger daughter is the third respondent herein and the fourth respondent is the husband of the third respondent. The petitioner's husband owned an extent of 6.81 acres in Yercaud and had partitioned the same among the children on 20.08.2007. Her son had pre-deceased her husband. After the demise of her husband and her son, the property measuring an extent of 4.44 acres devolved on the petitioner and she



was in peaceful possession of the same. Of the extent she owned, the petitioner had executed independent settlement deeds in favour of her daughters for the extent of 1.07 acres and 1.27 acres respectively.

3. Be that as it may, in the year 2023, the third and fourth respondents herein had persuaded the petitioner and obtained a gift deed in favour of the third respondent on 24.03.2023, with regard to another extent of 0.90 acres of land owned by the petitioner, by making false promises. Thereafter, they failed to maintain the petitioner. Hence, the petitioner had approached the second respondent seeking to cancel the gift deed dated 24.03.2023 and to restore the same in her name. Since, no action was taken by the second respondent, the petitioner is before this Court.

4. Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for respondents 1 and 2.

5. Considering the facts and circumstances of the case and also the materials placed before this Court, this Court is inclined to direct the second respondent to consider the representation of the petitioner and to pass orders within a period of one month from the date of receipt of a copy of this order,



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after affording an opportunity of hearing to the petitioner and other interested parties, if any.

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6. With the above direction, this writ petition stands allowed. No costs.

Consequently, connected miscellaneous petition is closed.

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Index : Yes / No

Neutral Citation : Yes / No

Speaking order / Non-speaking order
ds

To:

1.The District Collector
Salem District.

2.The Revenue Divisional Officer
Salem.



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P.T. ASHA, J,

ds

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