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W.P.No.47109 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.12.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.47109 of 2025

V.Gopal Naidu

... Petitioner

Vs.

1.The District Collector
Thiruvallur Collectorate,
Thiruvallur District.

2.The Divisional Revenue Officer
Divisional Revenue Office, Bharathiyar Street,
SP Nagar, Thiruvallur - 602 001.

...Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus, directing the respondents to consider the petitioners representation dated 13.11.2025 and to order maintenance as well as cancel the settlement deeds Nos.3208/ 2014 and 3209/ 2014 dated 08.12.2014 registered at the office of SRO, Uthukottai, Thiruvallur District under Sections 4 and 23 of the Maintenance and welfare of Parents and Senior Citizens Act, 2007, expeditiously within stipulated time period.

For Petitioner : Mr.S.C.Pratheep Ashok Kumar

For Respondents : M/s.S.Anitha, Spl.GP. for R.1 & R.2.



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ORDER

This Writ Petition is filed for the following reliefs:-

“Directing the respondents to consider the petitioner’s representation dated 03.11.2025 and to order maintenance as well as cancel the settlement deeds Nos.3208/ 2014 and 3209/ 2014 dated 08.12.2014 registered at the office of SRO, Uthukottai, Thiruvallur District under Sections 4 and 23 of the Maintenance and welfare of Parents and Senior Citizens Act, 2007, expeditiously within stipulated time period.”

2. The brief facts are as follows:-

2.1. The Petitioner is a senior citizen aged about 86 years. He is the original owner of agricultural lands measuring an extent of 5.50 acres situate at Mambakkam Village. Due to old age and deteriorating health, he is unable to earn a livelihood. His wife, aged 76 years, is bedridden with a fractured leg and requires constant assistance.

2.2. Out of love and affection, on 08.12.2014, the petitioner had executed two conditional settlement deeds in respect of the above said property in favour of his two sons, namely, Hari and Kulasekaran. The transfers were made solely on the condition that both sons would provide lifelong maintenance, care, shelter, food and medical support.



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2.3. While so, both the sons of the petitioner abandoned the petitioner and his wife and also refused to provide any care or support. Their action constitute a clear violation of the conditions of the settlement deeds and amount to breach of trust falling squarely within the provisions of Sections 4 and 23 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007. Therefore, the petitioner submitted a representation dated 03.11.2025, followed by a reminder dated 19.11.2025, seeking cancellation of the settlement deeds, monthly maintenance and protection from alienation. However, to date, no action has been taken by the respondents. Hence, the Writ Petition.

3. Heard the learned counsel on either side and perused the records.

4. Considering the fact that the petitioner is a senior citizen aged about 76 years and is not being maintained by his sons, the respondents are directed to consider and dispose of the petitioner's representation dated 03.11.2025 within a period of one month from the date of receipt of a copy of this order, after affording an opportunity of personal hearing to the interested parties.



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5. Accordingly, the Writ Petition stands allowed. No costs.

09.12.2025

(shr)

Index : Yes/No

Speaking Order: Yes/No

Neutral Citation : Yes/No

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P.T. ASHA. J.,

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