



W.P.(MD) No.3581 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:10.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE P.B.BALAJI

W.P.(MD) No.3581 of 2025

1.S.Meniyar Thevar
2.M.Arumugam

... Petitioners

vs.

1.The District Collector,
Sivagangai District.

2.The Revenue Divisional Officer,
Revenue Divisional Office,
Sivagangai District.

3.The Tahsildar,
Taluk Office,
Sivagangai District.

4.M.Muthusamy

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents 1 to 3 to conduct proper enquiry on the representation of the petitioners dated 01.09.2020 seeking to cancel the transfer of patta in the name of the fourth respondent for the lands in S.Nos.51/2, 52/2,3, 59/10A, 104/3, 117/6, 119/8, 121/3, 209/5, 241/5, 254/5, 257/10, 241/2, 143/1 at Vellikurichi Village, Manamadurai Taluk, Sivagangai District, bearing patta No.541 and in S.No.61/1A which extends to 0.44.5 ares at



W.P.(MD) No.3581 of 2025

WEB COPY Vellikurichi Village, Manamadurai Taluk, Sivagangai District and restore the patta in the name of the petitioners.

For Petitioners : Ms.K.Muneeswari
for M/s.Polax Legal Solutions

For Respondents : Mr.B.Saravanan
Additional Government Pleader for R1 to R3

ORDER

The petitioners are senior citizens and parents of the fourth respondent. Believing the representation of their son, the fourth respondent, he would provide them with basic amenities, they proceeded to transfer the patta standing in their name to and in favour of the fourth respondent. The fourth respondent has also apparently, under an unregistered consent deed, transferred the lands in his favour on 09.04.2007. Now the petitioners have been left in the lurch by their son and they are not being maintained by the fourth respondent. Therefore, the petitioners have made a representation under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, on 01.09.2020 to the first respondent/District Collector, seeking cancellation of patta, which has been issued in favour of the fourth respondent on 09.04.2007.



W.P.(MD) No.3581 of 2025

WEB COPY

2. According to the petitioners, the said representation is pending and no orders have been passed by the first respondent. The petitioners seek disposal of the said representation. The petitioners have further stated that though the second respondent issued notice of enquiry based on the representation of the petitioners, no enquiry has been conducted. The petitioners, therefore, seek for disposal of the representation at the earliest, considering their advance stage and also helpless situation.

3. Heard the learned Additional Government Pleader appearing for the respondents 1 to 3. He would invite my attention to the provisions of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007. The authorities under the Act are competent to enquire into the concerns of the senior citizens and parents whenever it is brought to their notice under the relevant provisions of the said Act. The petitioners have made a representation as early as on 01.09.2020 seeking cancellation of the patta transferred in the name of the fourth respondent, who is none else than their son. The second respondent being the competent authority under the Act, is bound to enquire into such complaints of parents/senior citizens and pass orders expeditiously, causing further prejudice to the senior citizens/parents.



W.P.(MD) No.3581 of 2025

WEB COPY

4.In view of the above, considering that the petitioners have made a request for cancellation of patta even as early as on 01.09.2020, the second respondent is directed to conduct an enquiry after affording an opportunity to the petitioners as well as the fourth respondent and pass suitable orders in accordance with law and on merits of the representation of the petitioners, within a period of eight weeks from the date of receipt of a copy of this order.

5.With the above directions, this Writ Petition is disposed of. No costs.

10.02.2025

sjj

NCC: Yes/No

Index : Yes / No

Internet : Yes / No

To

1.The District Collector,
Sivagangai District.

2.The Revenue Divisional Officer,
Revenue Divisional Office,
Sivagangai District.

3.The Tahsildar,
Taluk Office,
Sivagangai District.

<https://www.mhc.tn.gov.in/judis>



WEB COPY



W.P.(MD) No.3581 of 2025

P.B.BALAJI, J.

sjj

W.P.(MD) No.3581 of 2025

10.02.2025