



W.P.(MD)No.22140 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.08.2025

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.(MD)No.22140 of 2025

Shobana

... Petitioner

-VS-

1.The District Collector,
Karur District, Karur.

2.The Revenue Divisional Officer,
Karur District, Karur.

3.M.Muniyappan

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records relating to the impugned notice issued by the second respondent dated 20.06.2025 upon the proceedings initiated by second respondent vide Na.Ka.Aa.1/866/2025 and quash the same.

For Petitioner : Mr.S.Satheesh Kumar

For R1 and R2 : Mr.D.Ghandiraj
Special Government Pleader



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ORDER

By consent, the Writ Petition is taken up for final disposal at the admission stage itself.

2. Since no adverse orders are going to be passed against the third respondent in the present Writ Petition, notice to the third respondent is dispensed with.

3. In this Writ Petition, the petitioner has challenged the impugned notice issued by the second respondent dated 20.06.2025, bearing reference Na.Ka.Aa. 1/866/2025, calling upon the petitioner to appear for a hearing at the instance of the third respondent in an application filed under Section 5 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 [hereinafter referred to as "the Act"].

4. The case of the petitioner appears to be that she is the unmarried granddaughter of the third respondent, in whose favour the third respondent had executed a settlement deed dated 06.10.2003. It is submitted that the petitioner's parents are estranged, and therefore, at the instigation of the petitioner's father, Prakash, an attempt is being made to cancel the settlement deed by invoking Section 23 of the Act.



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5. The learned counsel for the petitioner seeks to place reliance on a few decisions of this Court and that of the Hon'ble Supreme Court. There are divergent views of different High Courts, and some amount of uncertainty exists regarding the correct position of law under Section 23 of the Act.

6. The learned Special Government Pleader for the respondents 1 and 2 submits that the case is next listed on 18.08.2025.

7. Be that as it may, since the petitioner has received the notice, she is directed to appear before the second respondent. The second respondent shall endeavour to pass a final order.

8. The learned counsel for the petitioner, at this stage, submits that the petitioner will co-operate with the second respondent. The said submission is recorded.

9. The Writ Petition stands disposed of the accordingly. No costs.

NCC : Yes / No
Index : Yes / No
smn2

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C.SARAVANAN, J.

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