



W.P.(MD)No.33567 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 24.11.2025

CORAM:

THE HON'BLE MS.JUSTICE P.T.ASHA

W.P.(MD).No.33567 of 2025

R.Irulayee

... Petitioner

Vs.

1. The District Collector,
Virudhunagar,
Virudhunagar District.

2. The Revenue Divisional Officer,
Aruppukkottai Revenue Division,
Virudhunagar District.

3. R.Prabhu

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of MANDAMUS, directing the 2nd Respondent herein to conduct an enquiry and dispose of the representation dated 08/09/2025 submitted by the Petitioner against the 3rd Respondent, in accordance with the provisions of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 and consequently cancel the settlement deed dated 26/05/2022 registered as Doc. No. 1413 of 2022 before the Sub Registrar Office, Thiruchuli within a reasonable time frame stipulated by this Honble Court and pass such other or further orders as



W.P.(MD)No.33567 of 2025

this Honble Court may deem fit and proper in the circumstances of this case and thus render justice.

For Petitioner : Mr.K.C.Ramalingam
For R1 and R2 : Mr.A.Kannan
Additional Government Pleader

ORDER

The above writ petition has been filed for the following relief:-

“Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of MANDAMUS, directing the 2nd Respondent herein to conduct an enquiry and dispose of the representation dated 08/09/2025 submitted by the Petitioner against the 3rd Respondent, in accordance with the provisions of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 and consequently cancel the settlement deed dated 26/05/2022 registered as Doc. No. 1413 of 2022 before the Sub Registrar Office, Thiruchuli within a reasonable time frame stipulated by this Honble Court and pass such other or further orders as this Honble Court may deem fit and proper in the circumstances of this case and thus render justice.”

2. Mr.A.Kannan, learned Additional Government Pleader takes notice on behalf of the respondents 1 and 2.

3. By consent of both the parties, the writ petition is taken up for final disposal at the admission stage itself. Since no adverse orders are to be passed against the 3rd respondent, notice to the 3rd respondent is dispense with.



W.P.(MD)No.33567 of 2025

WEB COPY

4. The case of the petitioner is that she is a senior citizen, who was working in abroad as a domestic labourer for the past 30 years. In the year 1997, she had purchased a land comprising in Sy.No.94/2A (now 94/2A1), measuring an extent of 30 cents situated at Thiruchuli Village, Thiruchuli Taluk, Virudhunagar District from one Mr.Gnanasekaran and the same was also registered vide Doc.No.690 of 1997 dated 11.06.1997. Thereafter, the petitioner had constructed a house in the above mentioned land, for which she had availed a loan. In order to repay the loan, the petitioner had asked a sum a Rs.5,00,000/- from his son viz., the 3rd respondent herein and the 3rd respondent also advised the petitioner to execute a mortgage deed in favour of third party. The petitioner has also agreed to the same. Therefore, on 26.05.2022, taking advantage of the petitioner's illiteracy, the 3rd respondent took the petitioner to the Sub Registrar Office, Thiruchuli and obtained her signature and fingerprint impression in the settlement deed executed in favour of the petitioner and his son instead of the mortgage deed. Now, based on the settlement deed dated 26.05.2022 registered as Doc.No.1413 of 2022, the 3rd respondent is threatening to evict the petitioner from the subject property.



W.P.(MD)No.33567 of 2025

WEB COPY

5. Therefore, the petitioner had filed a suit for permanent injunction against the 3rd respondent in O.S.No.104 of 2023 on the file of the learned Subordinate Court, Aruppukkottai and the same is pending. She had also made an application before the 1st and 2nd respondents herein under the Maintenance and Welfare of Senior Citizens Act, 2007. Thereafter, on 06.01.2025, she made a representation to the 1st respondent during grievance day proceedings and the same has also been forwarded to the Deputy Superintendent of Police, Thiruchuli Sub-Division, however, the same was not considered.

6. Thereafter, again the petitioner has made an application on 08.09.2025 along with the necessary documents to the 2nd respondent to cancel the settlement deed dated 26.05.2022 registered as Doc.No.1413 of 2022, however, no action has been taken to date. Aggrieved by the same, the petitioner is before this Court.



W.P.(MD)No.33567 of 2025

WEB COPY

7. Mr.A.Kannan, learned Additional Government Pleader appearing for the respondents 1 and 2 would submit that representation submitted by the petitioner dated 08.09.2025 will be considered and orders will be passed, within the time stipulated by this Court.

8. In view of the same, without expressing any opinion on the merits of the matter, the respondents 1 and 2 are directed to consider the representation of the petitioner dated 08.09.2025 and pass final orders on its own merits and in accordance with law, within a period of three (3) months from the date of receipt of a copy of this order.

9. With the above observations, the writ petition stands disposed of.

No costs.

24.11.2025

NCC :yes/No
Index :yes/No
Internet:yes/No
rgm



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W.P.(MD)No.33567 of 2025

P.T.ASHA, J.

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To

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Virudhunagar District.
2. The Revenue Divisional Officer,
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W.P.(MD).No.33567 of 2025

24.11.2025