



WEB COPY

WP No. 7887 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-03-2026

CORAM

THE HON'BLE MR JUSTICE ABDUL QUDDHOSE

WP No. 7887 of 2026

M.Raju Kantha

..Petitioner(s)

Vs

1. The District Social Welfare Officer
8th Floor Singaravelar Maaligai,
Chennai 01.
2. The Revenue Divisional officer
North Chennai,
Chennai
3. The Tahsildar
Madhavaram Taluk,
Madhavaram.
4. M.Jagadeesan
5. J.Usharani
6. V.Sumithra

..Respondent(s)

Writ petition is filed under Article 226 of the Constitution of India seeking for issuance of a writ of certiorarified mandamus to call for the records of the respondents 1 and 2 in Letter Na.Ka.No. 1374/ A1/ 2025 dated 06.08.2025 and Na.Ka.No. A7/ 3492/ 2024 dated 03.01.2025 respectively quash the same and consequentially direct the 3rd respondent to cancel the patta Nos.392 and 134 issued in favour of the respondent Nos. 4 and 6 and issue fresh patta in the name of the petitioner in respect of property to an extent of 0.03 Hectares situated in Old S.21/1 , New S.No. 164/13 Door No. 16/17 TVK Street, No. 53 Kathirvedu Village, Madhavaram, Chennai 66 (previously Tiruvallur district).



For Petitioner(s):

Mr.T.Harish Chowdhary

For Respondent(s):

Mr.N.Naveen Kumar, GA (R1 to R3)

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ORDER

This writ petition has been filed challenging the order dated 06.08.2025 passed by the first respondent refusing to entertain the appeal filed by the petitioner under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 (in short “Senior Citizens Act”) on the ground that the appeal has been filed beyond the period of 60 days as stipulated under Section 16 of the Senior Citizens Act.

2. Mr.N.Naveen Kumar, learned Government Advocate, accepts notice on behalf of the respondents 1 to 3. Since no adverse orders are passed against the respondents 4 to 6, notice to them in this writ petition is dispensed with by this Court.

3. The petitioner is a Senior Citizen, aged 72 years old. Aggrieved by the order passed by the second respondent dated 03.01.2025 rejecting the petitioner’s application seeking for cancellation of the settlement deed, the petitioner preferred the aforesaid appeal, which has been rejected by the first respondent only on the ground that the appeal was filed beyond the period of 60 days. The second proviso to Section 16 of the Senior Citizens Act enables the



4. The petitioner is aged 72 years and she is an illiterate woman. While considering the application seeking for condonation of delay in filing the appeal, especially from a senior citizen, the appellate authority must consider the reasons by giving the benefit of doubt to the senior citizen and should be liberal in considering the delay. The delay in the instant case is not an inordinate one. Hence, the first respondent ought to have entertained the appeal after condoning the delay, but, instead, the first respondent has summarily rejected the petitioner's appeal only on the ground that the appeal has been filed beyond the period of 60 days.

5. The petitioner claims that she has been thrown out of the house by the private respondents, namely, respondents 4 to 6. When such is the case, the first respondent ought to have entertained the appeal by condoning the delay in filing the appeal. Since the appeal has been rejected summarily on account of delay in filing the same by the petitioner, this Court, in the interest of justice, and after giving due consideration to the fact that the petitioner is a senior citizen and illiterate woman, is inclined to quash the impugned order and remand the matter back to the first respondent for fresh consideration on merits and in accordance with law, with a time frame to be fixed by this Court.



6. For the foregoing reasons, the impugned order dated 06.08.2025 passed by the first respondent is quashed and the matter is remanded back to the first respondent for fresh consideration of the appeal filed by the petitioner on merits and in accordance with law. The first respondent shall entertain the appeal as if the appeal was filed within the period of limitation as prescribed under Section 16 of the Senior Citizens Act; and pass final orders, after hearing the objections of the respondents 4 to 6 and by adhering to the principles of natural justice, within a period of 12 weeks from the date of receipt of a copy of this order. With the aforesaid directions, this writ petition is disposed of. No Costs. W.M.P.No.8539 of 2026 is ordered.

06-03-2026

Neutral Citation: Yes/No
RKM



To

1. The District Social Welfare Officer
The District social Welfare office,
8th Floor Singaravelar Maaligai,
Office of the district Collector
Chennai 01
2. The Revenue Divisional officer
North Chennai,
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3. The Tahsildar
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ABDUL QUDDHOSE, J.

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