



WEB COPY

WP No. 22118 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-06-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

**WP No. 22118 of 2026
and WMP.No.24008 of 2026**

J.Selvarajan

..Petitioner

Vs

1. The Revenue Divisional Officer
South Chennai Division,
Guindy, Chennai- 600 032.

2. Sivagami Ammal
W/o.James,
No.6, Asthalakshmi Nagar,
4th Street, Velachery,
Chennai- 600 042.

..Respondent

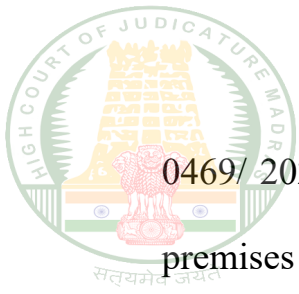
Writ Petition is filed under Article 226 of Constitution of India, to issue a Writ of Certiorari, Calling for the records pertaining to the impugned order dated 07.02.2025 passed by the 1st respondent in his proceedings in Se.Mu. No.A3/ 0469/ 2024 and quash the same insofar as it permits continued occupation / residence in the premises bearing Door No.6, Asthalakshmi Nagar, 4th Street, velachery, chennai- 600 042 despite the existence of statutory demolition order.

For Petitioner(s): M/s.V.Lokeshkumar

For Respondent(s): Mr.C.Prabakaran, Government Counsel

ORDER

Writ Petition has been filed seeking to quash the impugned order dated 07.02.2025 passed by the 1st respondent in his proceedings in Se.Mu. No.A3/



0469/ 2024 and insofar as it permits continued occupation / residence in the premises bearing Door No.6, Asthalakshmi Nagar, 4th Street, velachery, chennai- 600 042 despite the existence of statutory demolition order.

2. The petitioners' grievance is that the impugned order directs maintenance and residence of the second respondent in a same building which has been declared structurally unsafe and ordered for demolition by the competent statutory authority. The petitioner further contends that he has no appellate remedy under Section 16 of the MWPSA Act, 2007. Hence, the petitioner has filed the present writ petition challenging the order dated 07.02.2025.

3. The learned counsel for the petitioner submitted that the impugned order insofar as it permits continued occupation in the premises is liable to be quashed in view of the demolition order issued by the competent Corporation authorities in respect of the structurally unsafe building. The impugned order suffers from non-application of mind as the first respondent failed to consider the demolition order and supporting documents produced by the petitioner during the enquiry proceedings. The learned counsel further submitted that the petitioner is continue to pay a sum of Rs.10,000/- per month as maintenance to his mother. Therefore this Court may quash the order passed by the first respondent and allow this petition.

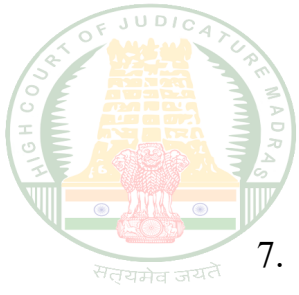


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4. The learned Government Counsel appearing for the first respondent submitted that the first respondent has entertained the appeal filed by the petitioner's mother and ensured the residential status and monthly maintenance to her. Such order is very reasonable order, which does not warrant any interference.

5. Heard the learned counsel for the petitioner and the learned Government Counsel appearing for the first respondent and perused the materials placed on record including the demolition order dated 08.11.2024 issued by the Greater Chennai Corporation. Since no adverse order is passed against the second respondent, hence, notice to the second respondent is dispensed with.

6. After hearing the learned counsel on both sides, this Court finds that the petitioner has not made out a case for interference under Article 226 of the Constitution of India. The Revenue Divisional Officer has passed the impugned order after due enquiry under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007. The contentions raised by the petitioner are factual in nature and require appreciation of evidence. Further, the remedy of the petitioner lies in making a representation before the first respondent regarding impossibility of compliance due to demolition, or before the appropriate forum.



7. In view of the above, the writ petition is dismissed. No costs.

Consequently, connected miscellaneous petition is closed. The petitioner is directed to continue to pay the monthly maintenance of Rs.10,000/- per month to the second respondent without default and to clear arrears, if any.

12-06-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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To

The Revenue Divisional Officer
South Chennai Division,
Guindy,
Chennai- 600 032.



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M.DHANDAPANI, J.

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