



W.P.No.10719 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.08.2026

CORAM

THE HONOURABLE MR.JUSTICE HEMANT CHANDANGOUDAR

W.P.No.10719 of 20264
and WMP.No.11802 of 2024

C.Nagalingam,

Petitioner(s)

Vs.

1.The Revenue Divisional Officer,
Cum Sub Divisional Magistrate,
Villupuram.

2.Mr.B.Chandrasekar,

Respondent(s)

Prayer: This Writ Petition has been filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records of the 1st respondent file in Ref.No.Na.Ka.A1/3762/2023 dated 12.01.2024 and quash the same.

For Petitioner : Mr.D.Senthilkumar

For Respondents : Mr.S.Sidhartha Vishnu for R1
Government Advocate
Mr.A.Palaniappan for R2



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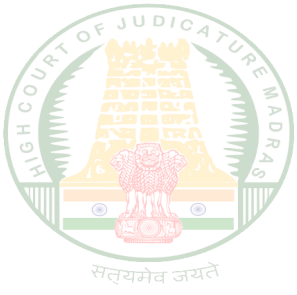
ORDER

The petitioner has challenged the notice dated 12.01.2024 issued by the first respondent under Section 23 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007.

2. The second respondent filed a petition under Section 23 of the Act seeking cancellation of the settlement deed. Pursuant to the said petition, the first respondent issued the impugned notice.

3. The petitioner has not made out any ground for interfering with the impugned show-cause notice. The first respondent has the power to conduct an enquiry into a petition seeking cancellation of a settlement deed.

4. The truth or otherwise of the allegations raised by the petitioner requires consideration by the first respondent during the enquiry. The same cannot be examined in the present writ petition at this stage. Since the petitioner has not established that the notice issued by the first respondent is without statutory authority, the writ petition challenging the said notice is not maintainable.



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5. Accordingly, the Writ Petition is dismissed. The first respondent is directed to proceed with the enquiry in accordance with law, after providing an opportunity of hearing to both the petitioner and the second respondent. There shall be no order as to costs. Consequently, the connected Miscellaneous Petition is closed.

03.08.2026

Index : Yes/No
Speaking order : Yes/No
dna

To

The Revenue Divisional Officer,
Cum Sub Divisional Magistrate, Villupuram.



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HEMANT CHANDANGOUDAR.J.,

dna

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