

W.P.(MD)No.5361 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.5361 of 2024

and

W.M.P.(MD)No.5141 of 2024

1.Gopal

2.Ranganayagi

... Petitioners

-VS-

1.The District Collector /

The Appellate Tribunal under Maintenance
and Welfare of Parents and Senior Citizens Act,
Madurai District.

2.The Revenue Divisional Officer,

The Competent Authority under the Maintenance &
Welfare of Senior Citizens Act, Madurai.

3.J.Sangeetha

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to
issue a Writ of Certiorarified Mandamus, calling for the records relating to
the impugned order in Moo.Mu.490/2022/J dated 22.04.2022, on the file of



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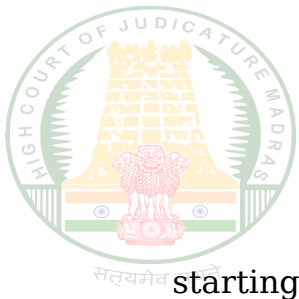
the second respondent and the order passed by the first respondent bearing Moo.Mu.No.C6/32381/2022 dated 27.09.2023, confirming the order of the second respondent and quash the same and consequently direct the respondents 1 & 2 to cancel the Settlement Deed bearing Doc.No.14164/2018 executed in favour of the petitioner's son Jeganathan (died).

For Petitioner : Mr.M.Gnana Guru Nathan
For Respondents 1 & 2 : Mrs.K.R.Shivashankari,
Counsel for the State of Tamil Nadu
For Respondent No.3 : Mr.V.S.Kumaraguru

ORDER

Challenging the impugned proceedings in Moo.Mu.490/2022/J dated 22.04.2022, on the file of the second respondent and the order passed by the first respondent bearing Moo.Mu.No.C6/32381/2022 dated 27.09.2023, the present Writ Petition has been filed.

2.The case of the petitioners is that the the petitioners were blessed with two sons and one daughter. While so, their first son Jeganathan, approached the first petitioner to execute a settlement deed in favour of him in respect of the subject property for the purpose of availing loan for

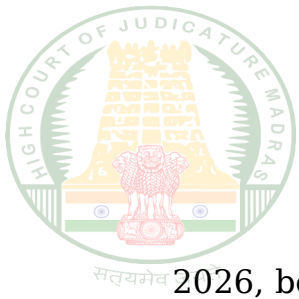


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starting a new business and that he would redeem the property to the petitioners after settlement of the loan. Hence, the settlement deed dated 06.12.2018 in Doc.No.14164 of 2018 came to be executed, however the said Jeganathan permitted the petitioners to receive rents derived from the settled property. Thereafter, the said Jeganathan died on 03.09.2020. After his demise, the third respondent daughter-in-law and the petitioner's grandsons did not allow the petitioners to receive rents from the subject property and thereby, the petitioners initiated proceedings under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 before the second respondent. However, the second respondent rejected the said petition vide proceedings dated 22.04.2022, stating that the first petitioner is receiving pension of Rs.19,000/- and also receiving rents from other properties. Aggrieved over the same, the petitioners preferred appeal before the first respondent, which was also dismissed by the first respondent vide proceedings dated 27.09.2023, confirming the proceedings of the second respondent. Aggrieved over the same, the present Writ Petition has been filed.

3.Learned counsel for the petitioners would submit that subsequently, the petitioners have cancelled the settlement deed and challenging the same, the third respondent had filed W.P.(MD)No.20131 of



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2026, before this Court and this Court, on 15.07.2026 has granted an order of interim stay. Hence, he prays that this Court may grant liberty to the petitioner to canvas all issues in the pending Writ Petition.

4. Heard the learned Counsel for the petitioner.

5. Considering the fact that a connected Writ Petition is pending before this Court in W.P.(MD)No.20131 of 2026 and considering the request of the learned Counsel for the petitioners, this Writ Petition is dismissed, however, with liberty to the petitioners to canvas all the issues and work out his remedy in the pending Writ Petition. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

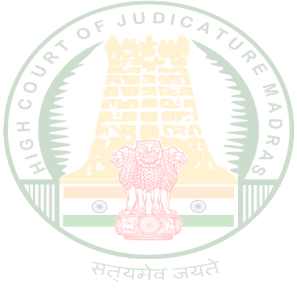
22.07.2025

NCC : Yes / No

Index : Yes / No

Internet: Yes / No

MR



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M.DHANDAPANI, J.

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