



W.P.(MD)No.10896 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.07.2026

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.10896 of 2025

Pandi

... Petitioner

-VS-

1.The District Collector,
Madurai District,
Madurai.

2.The Revenue Divisional Officer,
Thirumangalam RDO Office,
Madurai District.

3.Tamilselvi

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order dated 27.02.2025 passed in Moo.Mu.No. 2228451/2024/C6 on the file of the first respondent which confirmed the order dated 28.11.2023 passed in Moo.Mu.No.972/2023/A2 on the file of the second respondent and quash the same as illegal and consequently



W.P.(MD)No.10896 of 2025

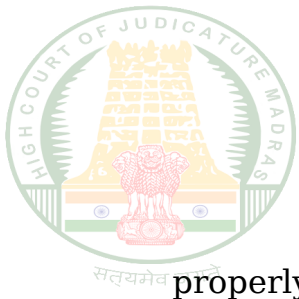
directing the second respondent to conduct re-enquiry of the case in Moo.Mu.No.972/2023/A2 on the file of the second respondent and to complete the enquiry within a stipulated period as framed by this Court.

For Petitioner : Mr.J.David Ganesan
For Respondents 1 & 2 : Mr.M.Mahaboob Athiff,
Counsel for the State of Tamil Nadu
For Respondent No.3 : No appearance

ORDER

Challenging the proceedings of the first and second respondents in Moo.Mu.No.2228451/2024/C6 dated 27.02.2025 and in Moo.Mu.No. 972/2023/A2 dated 28.11.2023, respectively, the present Writ Petition has been filed.

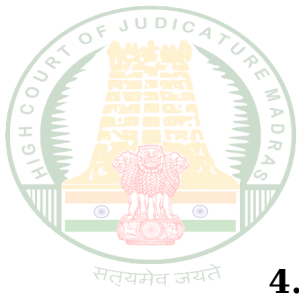
2.The case of the petitioner is that the petitioner is a senior citizen aged about 68 years. The petitioner was married to one Gomathi and out of the wedlock they were blessed with two children and thereafter he got divorce on 08.10.2014 and thereafter, married the third respondent herein. The petitioner had purchased two properties vide sale deeds dated 23.08.1993 and 15.11.2003, in the name of the third respondent herein, however, out of his own income. After retirement, the petitioner was not



W.P.(MD)No.10896 of 2025

properly taken care of by the third respondent and therefore, the petitioner initiated proceedings under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, before the second respondent, seeking cancellation of the sale deeds executed in favour of the third respondent. However, the request of the petitioner was rejected by the second respondent vide order dated 28.11.2023. Aggrieved by the same, the petitioner preferred a statutory appeal before the first respondent, who after adjudication, confirmed the proceedings of the second respondent and dismissed the appeal vide impugned order dated 27.02.2025. Aggrieved by the concurrent findings, the petitioner has come up with the present Writ Petition.

3.Learned counsel appearing for the petitioner submitted that the petitioner purchased the subject properties out of his hard earned money, however the sale deeds were executed in the name of the third respondent. Learned Counsel further contended that the conduct of the third respondent clearly disentitles her from retaining the benefit under the sale deeds and the authorities ought to have cancelled the same. Therefore, it is the argument of the learned counsel that the Appellate Authority / first respondent has failed to consider the request of the petitioner and thus, prayed to cancel the sale deed executed in favour of the third respondent.



W.P.(MD)No.10896 of 2025

WEB COPY

4.Learned Government Counsel appearing for the official respondents submitted that the deeds which are sought to be cancelled are sale deeds in the name of the third respondent. He further submitted that the authorities have rightly taken note of the nature of the document and found that the said documents cannot be cancelled. He vehemently contended that the authorities have no jurisdiction to cancel the documents. Therefore, no further interference is warranted. Hence, he prayed for dismissal of this Writ Petition.

5.Admittedly, the petitioner and the third respondent are husband and wife. It is submitted that the petitioner had purchased some properties in the name of the third respondent. However, since after the execution of the sale deeds, the petitioner is now not taken care of properly by the third respondent, the petitioner has preferred a petition under the Act. As rightly pointed out by the learned Government Counsel, the authorities under the Act have no jurisdiction to cancel the sale deeds. In such view of the matter, this Court finds that the respondents have rightly rejected the claim of the petitioner for cancellation of the sale deeds which were executed in favour of the third respondent and therefore, the impugned orders passed by the first and second respondent do not warrant any interference of this Court.



W.P.(MD)No.10896 of 2025

WEB COPY

7. Accordingly, the Writ Petition is dismissed, however, with liberty to the petitioner to approach the appropriate authorities by filing a maintenance petition as against the sons and daughters of the first wife and second wife, in the manner known to law. There shall be no order as to costs.

27.07.2026

NCC : Yes / No

Index : Yes / No

Internet: Yes / No

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WEB COPY



W.P.(MD)No.10896 of 2025

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W.P.(MD)No.10896 of 2025

M.DHANDAPANI, J.

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W.P.(MD)No.10896 of 2025

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