



W.P(MD)No.12037 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.07.2026

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P(MD)No.12037 of 2025

and

W.M.P(MD)No.8860 of 2025

M.Amburose

... Petitioner

Vs

1.The Appellate Officer/ District Collector,
Sivagangai District,
Sivagangai.

2.The Revenue Divisional Officer,
Sivagangai District,
Sivagangai.

3.S.Mariyanandham

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorari, to call for the records of the first respondent impugned Order in Muu.Mu.T1.29034/2024 dated 28.03.2025 and quash the same as devoid of merits.



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For Petitioner : Mr.A.Haja Mohideen

For Respondents : Mr.R.Ramasamy (R1 & R2)
Counsel for State of Tamil Nadu

: Mr.B.Prakalad Ravi (R3)

ORDER

This Writ Petition has been filed seeking the issuance of a Writ of Certiorari to quash the impugned order passed by the first respondent dated 28.03.2025.

2.The learned counsel appearing for the petitioner submitted that the petitioner is the son of the third respondent. The third respondent, along with his wife, executed an irrevocable Settlement Deed in favour of the petitioner, registered as Document No.2042 of 2013, dated 28.11.2013. Subsequently, the third respondent submitted a complaint before the second respondent seeking cancellation of the said Settlement Deed. The second respondent, however, dismissed the complaint. Aggrieved by the same, the third respondent preferred an appeal before the first respondent. By



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proceedings dated 09.12.2024, the first respondent cancelled the patta standing in the name of the petitioner. Challenging the said order, the present Writ Petition has been filed.

3.The learned counsel appearing for the petitioner contended that the first respondent, while exercising appellate jurisdiction under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, has no authority to cancel the patta standing in the name of the petitioner pursuant to a duly registered Settlement Deed. Such a power is not traceable either to Section 23 or any other provision of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007. Therefore, the impugned order passed by the first respondent is wholly without jurisdiction and liable to be set aside.

4.Today, the petitioner appeared before this Court and voluntarily undertook to pay a sum of Rs.5,000/- (Rupees Five Thousand only) per month to the third respondent, who is his father, towards his maintenance.



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5.In view of the above facts and the undertaking given by the petitioner, the impugned order dated 28.03.2025 passed by the first respondent is set aside. Consequently, the Revenue Divisional Officer is directed to restore the patta in the name of the petitioner, if not already restored, within a period of four weeks from the date of receipt of a copy of this order. The petitioner shall pay a sum of Rs.5,000/- (Rupees Five Thousand only) every month to the third respondent towards maintenance, on or before the 7th day of every succeeding month.

6.Accordingly, the Writ Petition stands allowed. There shall be no order as to costs. Consequently, the connected Miscellaneous Petition is closed.

29.07.2026

NCC : Yes / No
Index : Yes / No
ps



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M.DHANDAPANI, J.

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