



W.P(MD)No.27206 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.07.2026

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P(MD)No.27206 of 2023

S.Kala

... Petitioner

Vs

The District Collector,
Virudhunagar District,
Virudhunagar.

... Respondent

PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the order passed by the respondent in his proceedings in Na.Ka.C4/2/68/2023 dated 26.09.2023 quash the same and consequently direct the respondent to take on file the appeal preferred by the petitioner on 31.08.2023 decide the appeal on merits within a period to be stipulated by this Court.

For Petitioner : Mr.A.Sivaji

For Respondent : Mr.M.Mahaboob Athiff, Counsel for State



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ORDER

This Writ Petition has been filed challenging the impugned order passed by the respondent dated 26.09.2023 and consequently directing the respondent to entertain the appeal preferred by the petitioner on 31.08.2023 and dispose of the same on merits.

2. Heard the learned counsel on either side.

3. The learned counsel appearing for the petitioner would submit that the petitioner is a senior citizen. She had executed a Settlement Deed dated 31.08.2016, registered as Document No.2168 of 2016, in favour of her son on the assurance that he would take care of the petitioner and her husband during their lifetime. Subsequently, out of love and affection, she executed another Settlement Deed in favour of her daughter in respect of certain properties. Thereafter, in order to rectify certain mistakes found in the settlement deeds, the petitioner executed the necessary Rectification Deeds. According to the petitioner, subsequently disputes arose between the petitioner and her son, who allegedly compelled the petitioner to cancel the settlement deed executed in favour of her



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daughter. In those circumstances, the petitioner approached the Revenue Divisional Officer under the provisions of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, seeking cancellation of the settlement deeds executed in favour of her son and daughter as well as the Sale Deed executed by her son in favour of his father-in-law. The Revenue Divisional Officer, after conducting an enquiry, passed an order dated 17.05.2023, directing that the petitioner's son shall not interfere with the petitioner's possession and enjoyment of the agricultural properties during the lifetime of the petitioner and her husband. Thereafter, the father-in-law of the petitioner's son instituted a suit in O.S.No.87 of 2023 on the file of the District Munsif Court, Sivagangai, seeking the relief of permanent injunction, which is stated to be pending. Aggrieved by the order passed by the Revenue Divisional Officer, the petitioner preferred an appeal before the respondent. However, the respondent, by the impugned order dated 26.09.2023, rejected the appeal on the ground that it had been presented with a delay of 105 days.

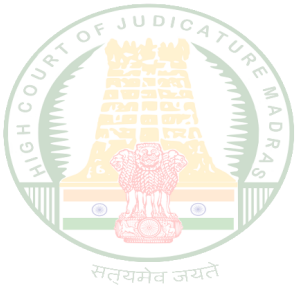
4. This Court has carefully considered the submissions made on either side and perused the materials placed on record.



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6. It is also pertinent to note that the order passed by the Revenue Divisional Officer substantially protects the petitioner's possession and enjoyment of the agricultural property during her lifetime. Therefore, the petitioner has not made out any sufficient ground warranting interference with the impugned order in exercise of the jurisdiction of this Court under Article 226 of the Constitution of India.



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7. In view of the above, this Court is of the considered opinion that the writ petition suffers from non-joinder of necessary parties and no case has been made out to interfere with the impugned order.

8. Accordingly, the Writ Petition stands dismissed. No costs.

20.07.2026

NCC : Yes / No
Index : Yes / No
TSG
To

The District Collector,
Virudhunagar District,
Virudhunagar.



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M.DHANDAPANI, J.

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