



W.P.(MD)No.27584 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 20.07.2026

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.27584 of 2023

and

W.M.P.(MD).Nos.23685 to 23687 of 2023

S.Nandhini

...Petitioner

Vs

1.The District Collector,
Pudukkottai,
Pudukkottai District.

2.The Superintendent of Police,
Pudukkottai,
Pudukkottai District.

3.The District Registrar,
Pudukkottai,
Pudukkottai District.

4.The Sub Registrar,
Pudukkottai,
Pudukkottai District.

5.P.Muthupandian



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6.R.Subathradevi

7.D.Sivasankar

...Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, to call for the records pertaining to the impugned order passed by the first respondent in Na.Ka.C6/5402/2022 dated 19.05.2023 and consequential order passed by the 3rd respondent Na.Ka.No. 3617/Aa1/2023 dated 19.07.2023 to quash the same as illegal.

For Petitioner : Mr.G.Mathavan

For Respondents : Mr.M.Mahaboob Athiff,
Counsel for State-for R1 to R-4

Mr.C.K.M.Appaji for R-5

Mr.R.Mani Anandh for R-6

Mr.RMS.Sethuraman
for M/s KbS Law Office

ORDER

This Writ Petition has been filed challenging the order passed by the first respondent in Na.Ka.C6/5402/2022 dated 19.05.2023 and the consequential order passed by the third respondent in Na.Ka.No.3617/Aa1/2023 dated 19.07.2023.

2.Heard the learned counsel on either side.

3. The learned counsel appearing for the petitioner would submit that the



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petitioner is a bona fide purchaser of the subject property, having purchased the same from the sixth respondent. It is submitted that the fifth respondent had originally executed a registered settlement deed in favour of the sixth respondent on 20.06.2008. Subsequently, in the year 2015, the fifth respondent unilaterally cancelled the said settlement deed. Challenging the unilateral cancellation, the sixth respondent filed W.P.(MD) No.16038 of 2015 before this Court, and the said writ petition was allowed by order dated 16.10.2015, thereby setting aside the unilateral cancellation. Thereafter, the sixth respondent conveyed the subject property in favour of the petitioner by way of a registered sale deed. Subsequently, the fifth respondent approached the Revenue Divisional Officer by filing an application under the provisions of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, seeking cancellation of the settlement deed executed in favour of the sixth respondent. The Revenue Divisional Officer rejected the request for cancellation. However, while doing so, the Revenue Divisional Officer directed the sixth respondent to pay a sum of Rs.5,000/- per month towards the maintenance of the fifth respondent. Aggrieved by the said order, the fifth respondent preferred an appeal before the first respondent. The first respondent, by the impugned order dated 19.05.2023, allowed the appeal and cancelled not only the settlement deed executed by the fifth respondent in favour of the sixth respondent but also the



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consequential sale deed executed by the sixth respondent in favour of the petitioner. Pursuant to the said order, the third respondent passed the consequential proceedings dated 19.07.2023. Challenging the aforesaid orders, the present writ petition has been filed.

4. The learned counsel appearing for the petitioner would further submit that the issue involved in the present writ petition is no longer res integra. According to the learned counsel, this Court has consistently held that where a settlement deed had been executed prior to the coming into force of Section 23 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, the authorities constituted under the Act have no jurisdiction to cancel such settlement deed in exercise of the powers conferred under the Act. It is further submitted that the jurisdiction under Section 23 is confined only to transfers satisfying the statutory requirements contained therein and cannot be exercised in respect of transactions which do not fall within the ambit of the said provision. In the present case, the settlement deed was executed on 20.06.2008. Therefore, according to the learned counsel, the first respondent lacked jurisdiction to cancel the settlement deed as well as the consequential sale deed executed in favour of the petitioner. It is further submitted that the disputes relating to the validity of the settlement deed, title to the property and other rival civil rights are already the subject matter of a civil suit pending



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before the competent Civil Court. Hence, it is always open to the private respondents to agitate all their claims before the Civil Court, and the authorities under the Act could not have adjudicated upon such disputed questions of title by cancelling the registered documents.

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

6. The issue involved in the present writ petition is no longer res integra. This Court, in a catena of decisions, has held that the authorities functioning under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 cannot invoke Section 23 of the Act to cancel a settlement deed unless the conditions prescribed under the said provision are satisfied. Further, the authorities under the Act are not empowered to adjudicate disputed questions of title or invalidate registered conveyances, particularly when such issues are already pending before the competent Civil Court. In the case on hand, the first respondent exceeded the jurisdiction vested under the Act by cancelling not only the settlement deed but also the subsequent sale deed executed in favour of the petitioner, who claims to be a bona fide purchaser. Such disputed questions relating to title and the validity of the transactions can be adjudicated only by the competent Civil Court.

7. Accordingly, the impugned order passed by the first respondent in



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Na.Ka.C6/5402/2022 dated 19.05.2023 and the consequential order passed by the third respondent in Na.Ka.No.3617/Aa1/2023 dated 19.07.2023 are set aside. However, liberty is granted to the private respondents to work out their remedies before the competent Civil Court in the pending civil proceedings, and all issues are left open to be decided on their own merits.

8. In the result, the writ petition stands allowed. No costs. Consequently, connected miscellaneous petitions are closed.

20.07.2026

NCC : Yes/No

Index : Yes/No

Internet: Yes/No

TSG

To

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Pudukkottai, Pudukkottai District.

2.The Superintendent of Police,

Pudukkottai,

Pudukkottai District.

3.The District Registrar,

Pudukkottai,

Pudukkottai District.

4.The Sub Registrar,

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Pudukkottai,

Pudukkottai District.

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M.DHANDAPANI, J.

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