



W.P(MD)No.31260 of 2024

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.31260 of 2024

and

W.M.P(MD)Nos.26194 & 26195 of 2024

Sudalai Asari

... Petitioner

Vs

1.The District Collector,
Collectorate,
Tirunelveli District,
Tirunelveli.

2.The Revenue Divisional Officer cum
Divisional Executive Magistrate,
O/o. the Revenue Divisional Office,
Tirunelveli,
Tirunelveli District.

3.Venkatesh

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the second respondent in



W.P(MD)No.31260 of 2024

WEB COPY

Ni.Mu.A2/1233/2024 dated 13.08.2024 and the consequential impugned order passed by the first respondent in Case No.21/2024 dated 18.11.2024 and quash the same as illegal and consequently direct the first respondent to cancel the Settlement Deed in Doc. No.176/2024 dated 02.02.2024 executed in favour of the third respondent.

For Petitioner : Mr.A.Rajaram

For Respondents : Mrs.K.R.Shivashankari (R1 & R2)
Counsel for State

: Mr.M.Sankar (R3)

ORDER

This Writ Petition has been filed seeking issuance of a Writ of Certiorarified Mandamus, to quash the impugned order passed by the second respondent dated 13.08.2024 and the consequential order passed by the first respondent in Case No.21 of 2024, dated 18.11.2024, and consequently direct the first respondent to cancel the Settlement Deed registered as Document No.176 of 2024, dated 02.02.2024, executed by the petitioner in favour of the third respondent.



W.P(MD)No.31260 of 2024

WEB COPY

2.Learned counsel appearing for the petitioner submitted that the petitioner is the father of the third respondent. According to the petitioner, by virtue of his hard work and perseverance, he provided quality education to the third respondent, who subsequently became a medical practitioner and is presently running "Maha Clinic" at North Vagaikulam, Tirunelveli District.

3.It is the further case of the petitioner that, out of love and affection, he executed a Settlement Deed in favour of the third respondent, registered as Document No.176 of 2024, dated 02.02.2024. Thereafter, according to the petitioner, the third respondent neglected and failed to maintain the petitioner and his wife. Consequently, the petitioner approached the second respondent seeking maintenance and cancellation of the Settlement Deed.

4.The second respondent, by order dated 13.08.2024, directed the third respondent to pay a sum of Rs.5,000/- per month towards



W.P(MD)No.31260 of 2024

WEB COPY

maintenance to the petitioner, but declined to cancel the Settlement Deed.

Aggrieved by the refusal to cancel the Settlement Deed, the petitioner preferred an appeal before the first respondent. The first respondent, by order dated 18.11.2024, confirmed the order passed by the second respondent. Challenging the said orders, the present Writ Petition has been filed.

5.Learned counsel appearing for the third respondent submitted that, without prejudice to his rights and contentions, the third respondent is willing to enhance the monthly maintenance payable to the petitioner from Rs.5,000/- to Rs.10,000/- per month. It is further submitted that the enhanced maintenance shall be paid on or before the 7th day of every English calendar month and that the third respondent has been regularly paying the maintenance amount fixed by the authorities without any default. Learned counsel further submitted that the petitioner and his wife shall be entitled to reside in the residential house during their lifetime without any interference from the third respondent.



W.P(MD)No.31260 of 2024

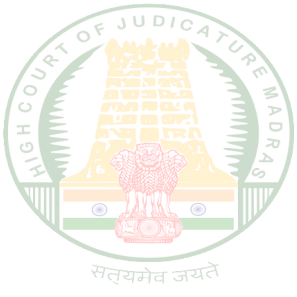
WEB COPY

6.Learned counsel appearing for the petitioner, on instructions, submitted that the petitioner has no objection to the aforesaid arrangement.

7.Heard the learned counsel appearing on either side and perused the materials available on record.

8.In view of the undertaking given by the learned counsel appearing for the third respondent and the consent expressed by the learned counsel appearing for the petitioner, this Court is of the view that no further adjudication is required in the present Writ Petition.

9.Accordingly, the third respondent shall pay a sum of Rs.10,000/- (Rupees Ten Thousand only) per month towards maintenance to the petitioner on or before the 7th day of every English calendar month, commencing from the succeeding month. The third respondent shall continue to pay the said amount regularly without any default.



W.P(MD)No.31260 of 2024

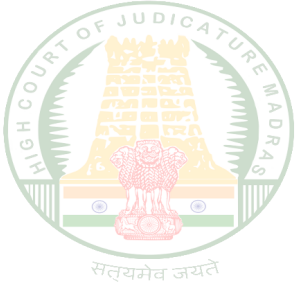
WEB COPY

10.It is further directed that the petitioner and his wife shall be entitled to reside in the residential house peacefully and without any interference from the third respondent during their lifetime.

11.Recording the above undertaking and directions, this Writ Petition stands dismissed. There shall be no order as to costs. Consequently, the connected Miscellaneous Petitions are closed.

29.07.2026

NCC : Yes / No
Index : Yes / No
ps



W.P(MD)No.31260 of 2024

WEB COPY

To

1.The District Collector,
Collectorate,
Tirunelveli District,
Tirunelveli.

2.The Revenue Divisional Officer cum
Divisional Executive Magistrate,
O/o. the Revenue Divisional Office,
Tirunelveli,
Tirunelveli District.



WEB COPY



W.P(MD)No.31260 of 2024

M.DHANDAPANI, J.

ps

W.P(MD)No.31260 of 2024

29.07.2026