



W.P.No.31732 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.12.2024

CORAM :

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

**Writ Petition No.31732 of 2024
and WMP No.34475 of 2024**

V.Murugadass

.... Petitioner

-Vs-

1.The District Collector
Kallakurichi District
Kallakurichi

2.The Revenue Divisional Officer
Tirukoilur Division
Kallakurichi District.

3.P.Velu

.. Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari, calling for the records of the 1st respondent's order dated 30.08.2024 in Appeal No.1199/A3/2023 and grant such other reliefs.

For Petitioner : Mr.T.S.Sivakumar

For Respondents : Mr.M.R.Gokul Krishnan
Additional Government Pleader
for R1 & R2

Mr.L.Mouli
for R3



W.P.No.31732 of 2024

ORDER

The Writ Petition has been filed in the nature of a Certiorari seeking records of the 1st respondent, District Collector, Kallakurichi in order dated 30.08.2024 in Appeal No.1199/A3/2024 and pass appropriate orders.

2.In the affidavit filed in support of the writ petition, th writ petitioner/one of the sons of the 3rd respondent had stated that the 3rd respondent had sought to cancel the settlement deed which was executed in favour of the minor sons of the petitioner in Document No.1076/2014 dated 12.03.2014. The 3rd respondent was of the opinion that the writ petitioner herein was not interested in maintaining him or in taking care of him. A complaint had been lodged by the 3rd respondent before the 2nd respondent under the provisions of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007. The said complaint had been initially examined by the 2nd respondent/Revenue Additional Officer, Tirukoivilur in Kallakurichi District and later an appeal was filed before the District Collector, Kallakurichi.

3.The impugned order came to be passed by the 1st respondent. By the said impugned order, a direction was passed that the petitioner herein should pay



W.P.No.31732 of 2024

a maintenance of Rs.3,000/- every month to the 3rd respondent. This Court had directed that the petitioner herein should produce proof for payment of the arrears and accordingly, the learned counsel for the petitioner had produced a copy of demand draft purchased from State Bank of India, Kuvanur Branch South Arcot District for a sum of Rs.63,000/- dated 06.12.2024 which has also been acknowledged by the 3rd respondent. This undertaking had also reiterated by the learned counsel for the petitioner that the petitioner would continue to pay a sum of Rs.3,000/- every month directly in the account of the 3rd respondent.

4.In view of that particular undertaking, the cancellation of settlement deed consequent to the order of the 1st respondent dated 30.8.2024 in Appeal No.119/A3/2023 is set aside with respect to the petitioner V. Murugadoss alone. The direction of the 1st respondent to cancel the settlement deed bearing registration No.1076 of 2024 dated 12.03.2014 registered in the office of the Sub Registrar Office, Tirukovilur is set aside. If any entry had been made in the registers cancelling the settlement deed, a direction is given to the Sub Registrar, Tirukovilur, to reverse any entry made in the register cancelling the settlement deed. It must be ensured that the settlement deed is still in force. The petitioner may also apply to the revenue authorities to retransfer the patta as it originally



W.P.No.31732 of 2024

stood before the same was cancelled consequent to the order of the 1st respondent. It is made clear that this order will accrue only to the petitioner and not to the other sons of the 3rd respondent.

5.The Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

09.12.2024

Index : Yes/No
NCS : Yes/No
KP



WEB COPY



W.P.No.31732 of 2022

To

1.The District Collector
Kallakurichi District
Kallakurichi

2.The Revenue Divisional Officer
Tirukoilur Division
Kallakurichi District.



WEB COPY



W.P.No.31732 of 2024

C.V.KARTHIKEYAN.,J
KP

Writ Petition No.31732 of 2024

09.12.2024