



W.P.No.7050 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.08.2025

CORAM:

THE HONOURABLE MRS. JUSTICE N.MALA

W.P.No.7050 of 2025
and WMP.No.7857 of 2025

Parameswari

Vs

... Petitioner

1. The District Collector
O/o. The District Collector,
1st floor, New Collectorate Building,
Manjakuppam,
Cuddalore – 607 001.
2. The Parents & Senior Citizen
Welfare Officer cum Sub Collector
O/o. The Sub Collector,
Parthasarathy Street,
Virudhachalam – 606 001.
3. The Village Administration Officer
Virudhachalam Town
Virudhachalam.
4. The Joint – I Sub Registrar
O/o. The Joint – I, Sub Registrar,
Virudhachalam.
5. Murugesan



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7. Rajasekar

8. Arun Kumar

... Respondents

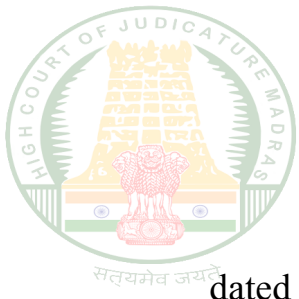
Prayer: Writ petition filed under Article 226 of the Constitution of India, praying to issue a writ of mandamus to direct the 2nd respondent to cancel the settlement deed dated 17.07.2017 in favour of the 5th respondent, registered as Doc.No.1590/2017 and settlement deed dated 17.10.2022, in favour of the respondents 6 to 8 registered as Doc.No.5169/2022, both on the file of the 4th respondent, for non-compliance of the order dated 05.01.2023 in Moo.Mu.(A4)/3835/2022 of the 2nd respondent by the 5th respondent.

For Petitioner : Mr.R.Gopinath

For Respondents : Mr.R.Murthi
Govt. Advocate for R1 to R4
Mr.R.Suryaprakash for R5
No appearance for R6 to R8

ORDER

This writ petition has been filed for issuance of a Writ of Mandamus directing the 2nd respondent to cancel the settlement deed



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dated 17.07.2017 executed in favour of the 5th respondent, registered as Doc.No.1590/2017 and settlement deed dated 17.10.2022 executed in favour of the respondents 6 to 8 registered as Doc.No.5169/2022, both on the file of the 4th respondent, for non-compliance of the order dated 05.01.2023 in Moo.Mu.(A4)/3835/2022 of the 2nd respondent by the 5th respondent.

2. The petitioner is a senior citizen aged about 74 years. The petitioner lost her husband on 04.02.2020. The petitioner's husband during his life time purchased under a registered sale deed dated 25.03.1976 the property measuring an extent of 3892 ½ sq.ft along with building measuring an extent of 2669 sq.ft., comprised in Natham S.No.284/1A and R.S.No.284/9, at Erattai street (north), Virudachalam town, Cuddalore district. The petitioner states that on the assurance of the 5th respondent who is her elder son that he would take care of her and her husband, she executed a settlement deed with respect to the above property in his favour on 17.07.2017.

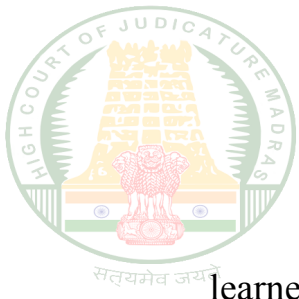


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3. The petitioner states that thereafter the 5th respondent contrary to his assurance neglected to take care of her and her husband. Mean while, without the petitioner's knowledge the 5th respondent settled the above said property in favour of his wife and children vide settlement deed dated 17.10.2022. Later, the petitioner's husband died on 04.02.2020. Even after her husband's death, the 5th respondent, did not take care of the petitioner. Hence, the petitioner gave a complaint to the 1st respondent in which an enquiry was conducted by the 2nd respondent, on various dates and final order was passed on 05.01.2023, directing the 5th respondent and her younger son to pay the petitioner a sum of Rs.8,000/- & Rs.1,000/- every month towards monthly maintenance respectively. However, the 5th respondent did not comply with the order of the 2nd respondent and therefore the petitioner submitted a representation on 19.12.2024 to the respondents 1 to 3, to cancel the settlement deed dated 17.07.2017, but no action was taken. The petitioner therefore filed the above writ petition for the aforesaid relief.

4. When the matter was taken up for hearing on 30.06.2025, the



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learned counsel for the 5th respondent submitted that his client was willing to deposit the entire maintenance arrears amount in the bank account of the petitioner before the next hearing date i.e., before 23.07.2025 and requested the petitioner's counsel to file a calculation memo furnishing details of the outstanding amount along with the bank account details. The petitioner's counsel on 16.07.2025, filed a memo furnishing the details of the maintenance arrears amount and the bank account details. In pursuance of the memo dated 16.07.2025 filed by the petitioner, the 5th respondent paid Rs.2,40,000/- (Rupees Two Lakhs Forty Thousand Only) by way of Demand Draft and handed over the same to the learned counsel for the petitioner. Thereafter the 5th respondent filed a memo on 23.07.2025, undertaking to pay the monthly maintenance amount of Rs.8,000/- directly to the bank account of the petitioner without any default. The undertaking of the 5th respondent given in the memo dated 23.07.2025 is recorded.

5. However it is made clear that in case the 5th respondent, fails to deposit the monthly maintenance as per the memo dated 23.07.2025, the



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1st respondent shall initiate action against him under Section 5 (8) of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007.

6. With the above observation and direction, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is also closed.

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dpq
Index: Yes/No
Speaking order / Non speaking order



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N. MALA, J.

dpq

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