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W.P.No.18194 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.09.2025

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.18194 of 2022

And

W.M.P.No.17535 of 2022

L.SenthilKumar

... Petitioner

Vs.

- 1 The District Collector
Chengalpattu District
Chengalpattu.
- 2 The Revenue Divisional Officer
Tambaram,
Chengalpattu District.
- 3 L.Parvathi
- 4 K.Lakshmanan
- 5 L.Thiyagarajan
- 6 L.Srinivasan

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus by calling for the records relating to the second respondent herein in Na.Ka.No.2811/2020/Aa dated 02.02.2022 and the consequential order passed in appeal by the first respondent herein in Na.Ka.2936/2022/M.1 dated 22.04.2002 and quash the same in so far cancelling the settlement deed registered before the Pammal Joint Registrar Office as document No.2175/2005 is



W.P.No.18194 of 2022

concerned alone and consequently direct the fifth respondent to relieve the third respondent herein to live freely with any of their children of third respondent's choice.

For Petitioner : Mr.R.S.Anandan

For Respondents : Mrs.S.Anitha for R1, R2
Special Government Pleader
Mr.S.Vijayakumar for R3
Mr.S.Saravanan for R4, R6
R5 – No Appearance

O R D E R

This writ petition has been filed seeking issuance of Writ of Certiorarified Mandamus by calling for the records relating to the second respondent herein in Na.Ka.No.2811/2020/Aa dated 02.02.2022 and the consequential order passed in appeal by the first respondent herein in Na.Ka.2936/2022/M.1 dated 22.04.2002 and quash the same in so far cancelling the settlement deed registered before the Pammal Joint Registrar Office as document No.2175/2005 is concerned alone and consequently direct the fifth respondent to relieve the third respondent herein to live freely with any of their children of third respondent's choice.

2.The learned counsel appearing for the petitioner submitted that the third respondent is the mother of the petitioner; fourth



W.P.No.18194 of 2022

respondent is the father of the petitioner; respondents 5 and 6 are the brothers of the petitioner. Out of love and affection, the respondents 3 and 4 settled their property in favour of the petitioner vide document No.2175/2005 registered before the Pammal Joint Registrar Office. Based on the complaint made by the respondents 3 and 4, under the Maintenance and Welfare of Parents and Senior Citizen Act, 2007, the second respondent conducted enquiry and cancelled document No.2175/2005 registered before the Pammal Joint Registrar Office. Aggrieved by the same, the petitioner filed appeal before the first respondent and the first respondent confirmed the order passed by the second respondent and also directed the petitioner to pay a sum of Rs.5,000/- per month to his parents.

3.The learned counsel appearing for the petitioner further submitted that due to the pressure given by the fifth respondent, the petitioner's parents lodged the complaint and further submitted that the petitioner obtained loan from the nationalized bank by pledging the document. The learned counsel further submitted that now the petitioner's parents are under the care and custody of the petitioner and the petitioner is ready to pay the maintenance amount as awarded by the first respondent. The learned counsel further submitted that



W.P.No.18194 of 2022

the Hon'ble Full Bench of this Court in the decision reported in **2022 SCC Online Mad 4343 [Sasikala Vs. Revenue Divisional Officer and another]** has held that a sale deed or a deed of conveyance other than testamentary dispositions which is executed and registered cannot be unilaterally cancelled.

4.The learned counsel appearing for the respondents 3 and 4 did not dispute the facts submitted by the learned counsel appearing for the petitioner.

5.Heard the arguments advanced on either side and perused the materials available on record.

6.The facts of the case is not in dispute. The relationship between the parties are also not disputed. The issue involved in this case is no longer res integra. The Hon'ble Full Bench of this Court in the decision reported in **2022 SCC Online Mad 4343 [Sasikala Vs. Revenue Divisional Officer and another]** has held that a sale deed or a deed of conveyance other than testamentary dispositions which is executed and registered cannot be unilaterally cancelled.



W.P.No.18194 of 2022

7. In view of the above, this Court is inclined to interfere with the impugned order with regard to the cancellation of document No.2175/2005 registered before the Pammal Joint Registrar Office, in terms of the decision of the Hon'ble Full Bench of this Court reported in **2022 SCC Online Mad 4343 [Sasikala Vs. Revenue Divisional Officer and another]**, however, this Court is not inclined to interfere with the maintenance awarded by the first respondent.

8. Accordingly, the order of the second respondent dated 02.02.2022 is set aside and the order passed by the first respondent dated 22.04.2002 is set aside only in respect of the cancellation of document No.2175/2005 registered before the Pammal Joint Registrar Office. The petitioner is directed to pay the maintenance amount as awarded by the first respondent on or before 7th of every succeeding English Calendar month.

9. The writ petition is disposed of on the above terms. No costs. Consequently, connected miscellaneous petition is closed.

23.09.2025

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Index: Yes/ No
Speaking Order: Yes/ No
NCC: Yes/ No

5/6



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W.P.No.18194 of 2022

M.DHANDAPANI,J.
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To

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