



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 07.10.2025

Coram:

The Honourable Mrs.Justice T.V.THAMILSELVI

**Crl.R.C.No.1837 of 2025
and Crl.M.P.Nos.18098 & 18100 of 2025**

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1.T.Manjula

2.B.Thankaraj

...Petitioners

Versus

1.M.V.Rajagopal

2.The Inspector of Police,
Land Grabbing Investigation Wing – I,
Team 17, Gama 3,
Central Crime Branch,
Vepery, Chennai – 600 007.

3.Uma Mageswari

4.J.Rajalakshmi

5.R.Kanchanamala

6.R.Malathi

7.K.V.Dayalan

8.M.Jayakumar

9.S.Rajasekar

10.H.Ravikanth

...Respondents



This Criminal Revision Case is filed under Sections 438 and 442 of BNSS praying to set aside the order passed in CrI.M.P.No.5273 of 2025 in CNR.No.TNCHOF-014773-2025 on the file of the learned Metropolitan Magistrate for exclusive Trial of CCB Cases (relating to cheating cases in Chennai) and CBCID Metro cases at Egmore, Chennai by allowing this Criminal Revision Petition.

For Petitioners	:	Mr.P.Krishnan
For Respondent – 1	:	Mr.L.Rajasekar
For Respondent – 2	:	Dr.C.E.Pratap, Govt. Advocate (CrI.Side)
For Respondents – 3 to 10	:	Mr.B.Vasudevan

ORDER

The present Criminal Revision Petition has been filed by the Petitioners seeking to set aside the Order dated 13.06.2025 in CrI.M.P.No.5273 of 2025 in CNR.No.TNCHOF-014773-2025 passed by the learned Metropolitan Magistrate For Exclusive Trial of CCB Cases (relating to cheating cases in Chennai) and CBCID Metro Cases, Egmore, Chennai.

2. The brief facts of the case are that Mr.M.Rajagopal (1st Respondent) has a son viz., Mr.R.Baskaran and five daughters viz.,

- (i) Mrs.Uma Mageshwari (3rd Respondent/Accused No.1)
- (ii) Mrs.J.Rajalakshmi (4th Respondent/Accused No.2)
- (iii) Mrs.R.Kanchanamala (5th Respondent/Accused No.3)
- (iv) Mrs.T.Manjula (1st Petitioner/Accused No.4) and
- (v) Mrs.R.Malathi (6th Respondent/Accused No.5)



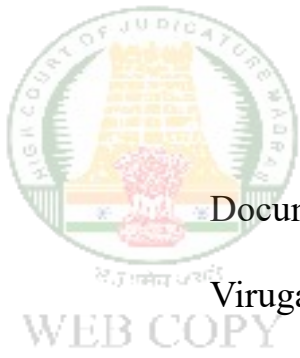
The 1st Respondent had purchased a property comprised in Survey No.161/1A1, measuring an extent of 2,400 Sq.ft situated at Door No.211, Thirupur Kumaran Street, Majestic Colony, Valasaravakkam, Chennai – 600 087 (hereinafter referred to as “subject property”) vide Sale Deed dated 14.05.1975 which was registered as Document No.1523 of 1975. The 1st Respondent had provided education to his children and conducted their marriages in a grand manner. At the time of his daughters’ marriage, he gave substantial gold and silver jewels, silver articles, house hold articles, dress materials, etc. as Seervarisai to them. The 1st Respondent’s son got divorced in the year 2012. After divorce, 1st Respondent’s son is leading a lonely life. Therefore, 1st Respondent and his wife had requested their daughters to give their support to conduct second marriage to their brother.

3. The 1st Respondent’s daughters and son-in-laws insisted the 1st Respondent to execute a Settlement Deed by settling the subject property in the name of his five daughters and they assured the 1st Respondent that they would take care of him and his wife, till their life time and they would extend their co-operation to conduct second marriage to 1st Respondent’s son. Believing their words, 1st Respondent agreed to settle the subject



property in favour of his five daughters and one son, pursuant to which, 1st Respondent's daughters and son-in-laws had drafted a conditional settlement deed and they showed a copy of the drafted conditional settlement deed to 1st Respondent. After going through the said conditional settlement deed, 1st Respondent agreed to register the same.

4. Subsequently, 1st Respondent's daughters and son-in-laws took the 1st Respondent to Sub-Registrar Office, Virugambakkam on 03.02.2016 at around 10.00 a.m. for the purpose of registering the Settlement Deed as stated above. The 1st Respondent's daughters and son-in-laws had assured the 1st Respondent that the contents which were in the copy of drafted conditional settlement deed alone have been typed in the final version of the Settlement Deed typed in the Stamp Paper. By stating so, 1st Respondent's daughters and son-in-laws had obtained the signatures of 1st Respondent in the final version of the Settlement Deed typed in the Stamp Paper, without permitting the 1st Respondent to read and verify the contents in the final version of the Settlement Deed typed in the Stamp Paper. The 1st Respondent's daughters and son-in-laws had deceitfully completed the registration of Settlement Deed. The said Settlement Deed was registered as



Document No.523 of 2016 on the file of Sub-Registrar Office,
Virugambakkam.

5. After the registration of Settlement Deed, 1st Respondent's five daughters and son-in-laws retained the registered Settlement Deed with them and they did not give a copy of the Settlement Deed to 1st Respondent and that apart, 1st Respondent's five daughters and son-in-laws had failed to keep up their words. They did not take care of the 1st Respondent and his wife. Under these circumstances, on 28.09.2020, 1st Respondent's wife had died due to kidney failure. After her demise, 1st Respondent is leading a lonely life and there is no one to take care of him.

6. Though 1st Respondent repeatedly requested his daughters and son-in-laws to give him a copy of the Settlement Deed, they did not even show the said Settlement Deed to him. After struggling a lot, 1st Respondent had obtained a copy of the Settlement Deed on 19.04.2022.

7. On reading the original Settlement Deed dated 03.02.2016, 1st Respondent came to know that the conditions which were in the draft



settlement deed have not been reflected in the original Settlement Deed and he also came to know that the said settlement deed was an irrevocable settlement deed. The 1st Respondent realized that he was deceived and defrauded by his own daughters and son-in-laws. Therefore, 1st Respondent had lodged a Complaint dated 27.06.2022 to the Revenue Divisional Officer, Central Chennai as well as to the Social Welfare Officer, requesting to take necessary steps to cancel the Settlement Deed dated 03.02.2016 which was registered as Document No.523 of 2016 on the file of Sub Registrar Office, Virugambakkam.

8. Based on the complaint given by the 1st Respondent, enquiry was conducted and the Revenue Divisional Officer, Central Chennai had passed an order dated 15.09.2022 bearing Na.Ka.No.3491/2022/14, observing that there was no scope to him to cancel the Settlement Deed and to take further action under Section 23(1) of the Maintenance and Welfare of Parents and Senior Citizen Act, 2007 and directing the 1st Respondent's daughters to maintain the 1st Respondent and also, directing them to pay maintenance to 1st Respondent and to provide all his essential expenses including medical expenses.



9. Since the Revenue Divisional Officer did not cancel the Settlement Deed dated 03.02.2016, 1st Respondent preferred an Appeal to the District Collector, Chennai. However, the District Collector, Chennai had also passed an order dated 08.12.2022 bearing Se.Mu.Na.Ka.No.2206/A1/2022, observing that there was no scope to cancel the Settlement Deed dated 03.02.2016 under Section 23 of the Senior Citizen Maintenance and Welfare Act since the above acts are offences punishable under IPC.

10. Challenging the aforesaid order passed by the District Collector, Chennai, 1st Respondent had preferred a writ petition in W.P.No.11189 of 2023. This Court vide Order dated 22.01.2024, dismissed the said writ petition as withdrawn and advised the 1st Respondent to approach the appropriate Court and to work out his remedy in the manner known to law.

11. Then, 1st Respondent had issued a Legal Notice dated 31.01.2023 to his five daughters, calling upon them to return all the title deeds of the subject property as well as his other properties including the original Sale Deed, Patta, Parent Deeds, Building Plan, Settlement Deed etc. and also, calling upon them to execute a Cancellation Deed for cancelling the



Settlement Deed dated 03.02.2016. However, even after the receipt of said legal notice, 1st Respondent's daughters neither come forward to return the title deeds of subject property nor come forward to cancel the Settlement Deed dated 03.02.2016, instead of which, they had sent a Reply dated 15.02.2023 to the 1st Respondent, refusing to return the title deeds of 1st Respondent's properties. That apart, they came to the house of 1st Respondent and abused the 1st Respondent and his son in unparliamentary words. Further, they threatened the 1st Respondent and his son to endanger their life.

12. The aforesaid acts of 1st Respondent's daughters and son-in-laws necessitated the 1st Respondent to lodge a criminal complaint before the Commissioner of Police on 17.03.2023. The Commissioner of Police had forwarded the complaint of 1st Respondent to the Deputy Commissioner, Koyambedu who forwarded the same to the concerned Jurisdictional Police Station viz., R-9, Valasaravakkam Police Station. Since the said complaint was related to the offence of land grabbing of the property value of more than Rs.2 Crores, Police Officials of R-9, Valasaravakkam Police Station had forwarded the said complaint to CCB Office situated at Egmore, Chennai



and advised the 1st Respondent to approach the Deputy Commissioner, CCB Officer at Egmore, Chennai. However, no action has been taken on the complaint of 1st Respondent. Therefore, 1st Respondent had sent a Complaint dated 25.04.2023 to the Chief Minister Special Grievance Cell and all other Higher Police Officials including the Commissioner of Police, Egmore, Chennai, but, no action was taken on the said complaint.

13. Under these circumstances, 1st Respondent's five daughters had lodged 5 false and frivolous counter complaints against the 1st Respondent. Aggrieved by the same, 1st Respondent had given a Complaint dated 27.05.2023 to the Commissioner of Police, but, no action has been taken on his complaint. Therefore, 1st Respondent gave a Complaint dated 04.10.2023 to the Commissioner of Police and the same was forwarded to the Deputy Commissioner of Police. After the receipt of said complaint, the Deputy Commissioner of Police had conducted enquiry, but, no FIR was registered against the daughters of 1st Respondent.

14. Finally, 1st Respondent had filed a petition in CrI.M.P.No.36421 of 2024 before the learned Metropolitan Magistrate for Exclusive Trial of



CCB Cases (relating to cheating cases in Chennai) and CBCID Metro cases, Egmore, Chennai. After the filing of said petition, the learned Metropolitan Magistrate directed the 2nd Respondent Police to register FIR on the complaint given by 1st Respondent, pursuant to which, 2nd Respondent Police had registered a case in Crime No.188 of 2024 against the daughters of 1st Respondent under Sections 404, 406 & 420 of IPC. After conducting a proper investigation, 2nd Respondent Police had filed a Final Report dated 13.02.2025 in R.C.S.No.38 of 2025 in CCB Crime No.188 of 2024 stating that the entire dispute is civil in nature and hence, further action against the accused has been dropped.

15. Aggrieved by the Final Report filed by the 2nd Respondent Police, 1st Respondent had filed a Protest Petition in CrI.M.P.No.5273 of 2025 before the learned Metropolitan Magistrate For Exclusive Trial of CCB Cases (relating to cheating cases in Chennai) and CBCID Metro Cases, Egmore, Chennai seeking an order for further investigation. The learned Metropolitan Magistrate vide Order dated 13.06.2025, allowed the said Protest Petition and ordered the Registry to take the 1st Respondent's Complaint on file under Section 200 of Cr.P.C and taken cognizance under



Section 420 of IPC against the Accused Nos.1 to 5 (daughters of 1st Respondent) and Accused Nos.6 to 10 (son-in-laws of 1st Respondent) and also, ordered to issue summons to the Accused Nos.1 to 10 under Section 204(1)(b) of Cr.P.C. Hence, the Petitioners (Accused Nos.4 & 9) have filed the present Criminal Revision Petition before this Court.

16. The learned counsel for Petitioners submitted that the Settlement Deed was registered on 03.02.2016 as Document No.523 of 2016 on the file of Sub-Registrar Office, Virugambakkam. The 1st Respondent had executed the said Settlement Deed out of his own consent and not because of the influence of anyone. On the date of registering the Settlement Deed, 1st Respondent had voluntarily appeared before the Sub Registrar, Virugambakkam and paid the registration charges and affixed his signature and thumb impression which would be evident from the document itself.

16.1. It is further submitted by the learned counsel for Petitioners that till date, 1st Respondent has not been dispossessed from the subject property and he is getting rental income from the subject property. The 1st Respondent has life interest as per the Settlement Deed dated 03.02.2016.



16.2. The learned counsel for Petitioners also submitted that after the demise of 1st Respondent's wife, 1st Respondent's son viz., Baskaran had intended to grab the subject property from his sisters and to sell the same for his own benefits. Without knowing the ill intention of his son, 1st Respondent is also acting to the tune of his son. At the instigation of 1st Respondent's son, 1st Respondent had given a Petition dated 21.06.2022 before the Revenue Divisional Officer, Madhavaram to cancel the Settlement Deed dated 03.02.2016 and he had filed the false complaints dated 17.03.2023, 25.04.2023 and 04.10.2023 against the Petitioners and Respondents 3 to 10. However, the Police Officials had closed the said complaints because the allegations made by the 1st Respondent against his own daughters and son-in-laws were baseless.

16.3. Since the aforesaid complaints were closed by the Police Officials, 1st Respondent had filed a petition in CrI.M.P.No.36421 of 2024 before the learned Metropolitan Magistrate for Exclusive Trial of CCB Cases (relating to cheating cases in Chennai) and CBCID Metro cases, Egmore, Chennai. The learned Metropolitan Magistrate directed the 2nd Respondent Police to register FIR on the complaint of 1st Respondent, pursuant to which,



2nd Respondent Police had registered a case against the daughters of 1st Respondent and filed a Final Report stating that the entire dispute is civil in nature and thus, further action against the accused has been dropped. Therefore, 1st Respondent had filed a Protest Petition in CrI.M.P.No.5273 of 2025 before the learned Metropolitan Magistrate For Exclusive Trial of CCB Cases (relating to cheating cases in Chennai) and CBCID Metro Cases, Egmore, Chennai praying an order for further investigation. Without considering the Order dated 22.01.2024 in W.P.No.11189 of 2023 passed by this Court, the learned Metropolitan Magistrate has allowed the Protest Petition filed by the 1st Respondent and taken cognizance against the Accused Nos.1 to 10 and issued summons to them. Therefore, the learned counsel for Petitioners prayed that the impugned order may be set aside and this Criminal Revision Petition may be allowed.

17. Today, 1st Respondent and his five daughters & son have appeared in person before this Court. The 1st Respondent addressed the Court with the assistance of his son, Baskaran since the 1st Respondent has lost his hearing ability and he is using hearing aid.



18. When this Court enquired the 1st Respondent, he stated that prior to the execution of Settlement Deed dated 03.02.2016, his five daughters and son-in-laws gave an assurance to him that they would take care of him and his wife by providing food, shelter and medical assistance to them, till their life time and hence, believing the assurance given by them, he had executed the Settlement Deed in favour of his daughters, but, his daughters did not honour their words. He further stated that after the registration of Settlement Deed, his daughters did not honour their words, they did not provide food, shelter and medical assistance to him and his wife; despite his several requests, his daughters neglected him as well as his wife. He also stated that his wife had died in the year 2020, after the death of his wife, his son is only taking care of him and therefore, he prayed for cancellation of the Settlement Deed which he executed in favour of his daughters.

19. When this Court enquired the daughters of 1st Respondent, they stated that only at the instigation of their brother, their father had filed a Protest Petition against them. They further stated that their father has every right to reside in the house situated in the subject property till his lifetime and they have no objection to the same.



20. When this Court enquired the son of 1st Respondent, he stated that he is jobless and thus, he has no source of income.

21. From a perusal of the Settlement Deed dated 03.02.2016, it is seen that 1st Respondent had executed the said Settlement Deed by settling the subject property in the name of his five daughters and one son, equally. The recital of the said Settlement Deed reveals that although the 1st Respondent's daughters and son have absolute right over the subject property, both the 1st Respondent and his wife have right to reside in the house situated in the subject property till their lifetime. It is also seen that the said Settlement Deed is an irrevocable Settlement Deed and it does not contain any revocation clause. Therefore, the Revenue Divisional Officer, Central Chennai and the District Collector, Chennai had passed an order by holding that there was no scope to cancel the Settlement Deed dated 03.02.2016.

22. Based on the complaint of 1st Respondent, 2nd Respondent Police had registered a case against the daughters of 1st Respondent, but, after the completion of investigation, they had filed a Final Report stating that the



dispute between the 1st Respondent and his daughters is civil in nature and hence, further action against the accused has been dropped. Therefore, 1st Respondent had filed a Protest Petition before the Court below seeking an order for further investigation.

23. Before the Court below, 1st Respondent had stated that on the date of registration of the Settlement Deed, his daughters and his son-in-laws did not permit him to read the contents of the said Settlement Deed and they compelled him to register the Settlement Deed, without reading its contents. Further, he had stated that the 2nd Respondent Police colluded with the accused and filed the aforesaid Final Report and hence, he has serious objection over the Final Report filed by the 2nd Respondent Police.

24. The learned Metropolitan Magistrate has held in his findings that since 1st Respondent being a senior citizen aged above 80 years, there are chances that his daughters and son-in-laws would have deceived, defrauded and cheated him. Without properly appreciating the facts of the case, the learned Metropolitan Magistrate has allowed the Protest Petition filed by the 1st Respondent and taken cognizance under Section 420 of IPC against the 1st Respondent's daughters and son-in-laws.



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25. It is to be noted that 1st Respondent had executed the Settlement Deed dated 03.02.2016 on his own consent and volition. Though 1st Respondent had settled the subject property in favour of his five daughters and son, as per the said Settlement Deed, he has a right to reside in the house situated in the subject property till his lifetime. Till date, 1st Respondent is residing in a portion of the subject property along with his son and that apart, 1st Respondent has been getting rental income from the subject property.

26. It is also to be noted that 1st Respondent had executed the Settlement Deed in the year 2016, but, only after a lapse of 7 years from the date of execution of the said Settlement Deed, 1st Respondent had filed W.P.No.11189 of 2023 before this Court seeking to quash the Order dated 08.12.2022 passed by the District Collector, Chennai and to direct the Authorities to cancel the Settlement Deed dated 03.02.2016.

27. As far as this case is concerned, the Settlement Deed dated 03.02.2016 which was executed by the 1st Respondent in favour of his legal heirs is a registered document and it cannot be unilaterally cancelled by the



28. In the present case, 1st Respondent being a senior citizen aged above 80 years is puppet in the hands of his son and his son who is jobless had instigated his father to litigate against his own sisters, in order to grab the subject property from her sisters. This is clearly evident from the statement made by the parties who appeared before this Court.

29. Without considering the above aspects, the learned Metropolitan Magistrate has erroneously allowed the Protest Petition and ordered the Registry to take the 1st Respondent's Complaint on file under Section 200 of Cr.P.C and taken cognizance under Section 420 of IPC against the 1st Respondent's daughters and son-in-laws.

30. Considering the above facts and circumstances of the case and having regard to the submissions made by the learned counsel for



Petitioners, I am of the opinion that the order passed by the learned Metropolitan Magistrate is erroneous and unsustainable in law. Hence, this Court is inclined to set aside the impugned order and allow this Criminal Revision Petition.

31. Accordingly, Order dated 13.06.2025 in CrI.M.P.No.5273 of 2025 in CNR.No.TNCHOF-014773-2025 passed by the learned Metropolitan Magistrate For Exclusive Trial of CCB Cases (relating to cheating cases in Chennai) and CBCID Metro Cases, Egmore, Chennai is set aside and this Criminal Revision Petition is allowed. As a sequel, daughters of 1st Respondent (1st Petitioner & Respondents 3 to 6) and son-in-laws of 1st Respondent (2nd Petitioner & Respondents 7 to 10) are discharged from the criminal proceedings initiated against them pursuant to the Order dated 13.06.2025 in CrI.M.P.No.5273 of 2025 in CNR.No.TNCHOF-014773-2025 and the Final Report dated 13.02.2025 in R.C.S.No.38 of 2025 in CCB Crime No.188 of 2024 filed by the 2nd Respondent Police is confirmed. Consequently, connected Miscellaneous Petitions are closed.

07.10.2025

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Index: Yes/No
Speaking Order (or) Non-Speaking Order
19/21



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- To
- 1.The Metropolitan Magistrate for
exclusive Trial of CCB Cases
(relating to cheating cases in Chennai)
and CBCID Metro cases at Egmore,
Chennai.
 - 2.The Inspector of Police,
Land Grabbing Investigation Wing – I,
Team 17, Gama 3,
Central Crime Branch,
Vepery,
Chennai – 600 007.
 - 3.The Public Prosecutor,
High Court, Madras.



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T.V.THAMILSELVI, J.

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