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W.P.No.37474 of .



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 19.12.2025

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THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No. 37474 of 2024
&
W.M.P.No. 40502 of 2024

J. Jagadeshwaran

...Petitioner

Vs.

1.The District Collector of Chennai
Chennai - 600 001.

2The Revenue Divisional Officer,
North Chennai Division
Chennai.

3.The Sub- Registrar
Madhavarain Sub-registrar Office
Chennai - 600 060.

4.S.Jayaraman



5. Padmini

6. J.Lingeswaran

...Respondents

Prayer: Writ Petition is filed under Section 226 of the Constitution of India for issue of Writ of Certiorarified Mandamus, calling for the records relating to the impugned order dated 25.10.2024 passed by the 2nd respondent in Na.Ka.No.A7/2215/2024 for directing to revoke the settlement deed executed in the petitioner's name comprised in Survey No.53/1A and 53/2A, situated at Madhavaram Village, K.K.Thalai, Kumaran Street, Thiruvallur District, admeasuring an extent of 4298 sq ft and quash the same with regard to the petitioner is concerned.

For Petitioner : Mrs. Hema Sampath
Senior Counsel
For Mrs. K.Sridevi

For Respondents : Mrs. S.Anitha
1 to 3 Special Government Pleader

For Respondents : Mr. S.Dhanasekar
4 to 6



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ORDER

This writ petition is filed for the following relief:

“To call for the records relating to the impugned order dated 25.10.2024 passed by the 2nd respondent in Na.Ka.No.A7/2215/2024 for directing to revoke the settlement deed executed in the petitioner's name comprised in Survey No.53/1A and 53/2A, situated at Madhavaram Village, K.K.Thalai, Kumaran Street, Thiruvallur District, admeasuring an extent of 4298 sq ft and quash the same with regard to the petitioner is concerned.”

2. The petitioner is the second son of the 4th respondent herein who out of his love and affection, settled his property situate in Survey No.53/1A, 53/2A, Madhavaram Village, K.K.Thalai, Kumaran Street, Thiruvallur District admeasuring an extent of 4298 sq ft., in petitioner's name, registered as Document No. 3828 of 2009 dated 15.06.2009.



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3. The petitioner would submit that his father also settled a portion of the same property, measuring 2104.5 sq. ft., in the name of his brother the 6th respondent, registered as Document No. 3829 of 2009 dated 15.06.2009. The petitioner would submit that he had regularly supported his parents and his sister.

4. The petitioner submits that the 6th respondent constructed a house in the land gifted to him by the 4th respondent and the 4th respondent had funded him to put up construction by selling his lands. The petitioner would submit that thereafter there were frequent quarrels between the petitioner and the 6th respondent, who had turned totally against the petitioner.

5. The petitioner would contend that the 6th respondent influenced his father, the 4th respondent to file a complaint before the 2nd respondent under the Maintenance and Welfare of the Parents and Senior Citizens Act, seeking revocation of the settlement deed executed by him in favour of the petitioner. The 2nd respondent by order dated



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25.10.2024, revoked the settlement deed executed by the 4th respondent in favour of the petitioner herein.

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6. Challenging the same, the petitioner is before this Court.

7. The settlement deed in question does not contain any condition permitting its cancellation. Its cancellation by the 2nd respondent was therefore arbitrary and beyond jurisdiction.

8. Section 23(1) of the Act can be exercised by the authorities only in cases where the deed contains a condition that the transferee will take care of the transferrer with basic amenities and physical needs, and there is a breach of those conditions. This is also the dicta that has been laid down by the Honourable Supreme Court in its judgment in *Sudesh Chikara v. Ramti Devi and another - 2022 SCC Online SC 1684* and *Urmila Dixit vs. Sunilsharan Dixit - 2025 SCC Online SC 2*. In the instant case, the settlement deed in question contains no such condition.



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9. In view of the above observations, the writ petition is allowed.

The impugned order dated 25.10.2024 passed by the 2nd respondent is hereby quashed. Consequently, the connected miscellaneous petition is closed. No costs.

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Index : Yes/No
Internet : Yes/No
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