



W.P.No.26055 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.09.2025

CORAM:

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P.No.26055 of 2018

&

W.M.P.No.30272 of 2018

D.Devi

W/o.M.Selvakumar

.. Petitioner

Vs

1. The District Collector
Tiruppur

2. The Revenue Divisional Officer
Udumalpet
Tiruppur District

3. D.Saradha

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue Writ of Certiorari calling for the records relating to the Appeal Order Vide Muu.Mu.No.18657/2017/E1 dated 30.07.2018 passed by the first respondent reversing the order passed by the second respondent vide Muu.Mu.No.3475/2013/Aa dated 31.05.2013 and quash the same.

For Petitioner : Mr.T.Gowthaman



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for Mr.D..R.Arun Kumar

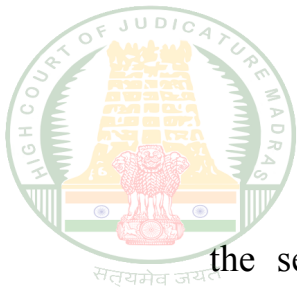
For Respondents : Mr.A.M.Ayyadurai
Govt. Advocate for R1 and R2

Mr.S.Muthappan for R3

ORDER

This writ petition has been filed to quash the proceedings of the first respondent in Appeal Order Vide Muu.Mu.No.18657/2017/E1 dated 30.07.2018 reversing the order passed by the second respondent vide Muu.Mu.No.3475/2013/Aa dated 31.05.2013 and quash the same

2. The learned Senior counsel appearing for the writ petitioner would submit that the petitioner is a daughter and third respondent is her mother. The third respondent settled the property in favour of the petitioner and the petitioner has in turn settled the property in favour of her husband. Now it is the grievance of the third respondent that her daughter is not maintaining her as per the settlement and hence, a complaint was lodged by the third respondent before the second respondent and the second respondent set aside the settlement deed as against which the petitioner preferred an appeal before the first respondent. In appeal, the first respondent set aside the order passed by



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the second respondent and directed the petitioner to pay a sum of Rs.10,000/- as monthly maintenance to the third respondent.

Challenging the same, the present writ petition is filed.

3. The learned Senior counsel appearing for the petitioner would submit that the disputed property, which is settled by the third respondent mother, is in a dilapidated condition and is not used by the petitioner and no income is generated from the said property. The learned Senior counsel appearing for the petitioner would further submit that the third respondent is receiving huge amounts as rent from the property settled by the father of the petitioner and apart from that they are also receiving sufficient money from the petitioner's brother, who is residing in United States of America and hence, forcing the petitioner to pay Rs.10,000/- per month is not acceptable and hence, he prays for appropriate orders.

4. The third respondent and her husband appeared before this Court and they submit that two properties were settled in favour of the petitioner and subsequently, the settlement deed was cancelled. It is submitted that though petitioner was enjoying more than a crore worth property, she is refusing to pay monthly maintenance of Rs.10,000/- and



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hence, they prayed for dismissal of the writ petition.

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5. I have considered the rival submissions and perused the materials available on record.

6. It is not in dispute that the petitioner is the daughter of third respondent D.Saradha. The third respondent settled the dwelling house at Door No.33, Sardar Street, Udumalpet, Tiruppur District to her daughter, the petitioner herein, under a settlement deed bearing Document No.4242 of 2006 dated 31.08.2006. It is the grievance of the third respondent that her daughter is not maintaining her as per the settlement and hence, a complaint was lodged by the third respondent before the second respondent and the second respondent set aside the settlement deed as against which the petitioner preferred an appeal before the first respondent. In appeal, the first respondent set aside the order passed by the second respondent and directed the petitioner to pay a sum of Rs.10,000/- as monthly maintenance to the third respondent. The third respondent and her husband, who appeared before this Court today, would submit that two properties were settled in favour of the petitioner and subsequently, the settlement deed was cancelled.



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7. In the light of the above submission made by the third respondent and her husband and considering the facts and circumstances of this case, this Court is not inclined to interfere with the impugned order.

8. Accordingly, this writ petition is dismissed. This Court directs the petitioner to pay a sum of 10,000/- per month to the third respondent on or before 7th day of every month, without fail. The petitioner shall also pay the arrears of maintenance @ Rs.10,000/- per month from the date of filing of petition by the third respondent before the second respondent viz., 30.01.2013 till the date of realisation, within a period of eight weeks from the date of receipt of a copy of this order.

With the above directions, this writ petition stands disposed of.

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Index: Yes/No

Neutral Citation : Yes/No

gpa

To

1. The District Collector
Tiruppur

2. The Revenue Divisional Officer
Udumalpet
Tiruppur District

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M.DHANDAPANI, J.

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