



W.P.(MD).No.8846 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.8846 of 2025

M.Subbaiya Thevar

... Petitioner

-VS-

1. The District Collector,
Office of the District Collector,
Tenkasi District, Tenkasi.
2. The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Tenkasi District, Tenkasi.
3. S.Muthaiah
4. S.Subramanian
5. S.Selvakumar
6. S.Seenivasan
7. S.Shanmugavel

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the entire records connected to the order in Moo.Mu./COLR/115/2025-B1 dated 19.02.2025 passed by the first respondent and quash the same, consequently directing the respondent No.1 and 2 to declare the settlement deeds in Document No. 1284 of 2023, 1332 of 2023, 1542 of 2023 and 1543 of 2023 registered on the file of the Sengottai Sub Registrar Office to be null and void within the time stipulated by this Court.



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For Petitioner : Mr.C.Kalaiarasan

For Respondents : Mr.C.Venkateshkumar (R1 & R2)

Spl. Govt. Pleader

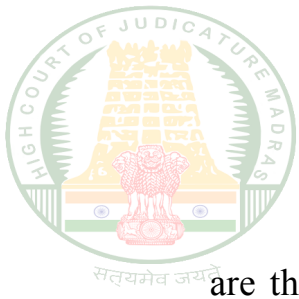
ORDER

This writ petition has been filed challenging the impugned order passed by the 1st respondent dated 19.02.2025 in Moo.Mu./COLR/115/2025-B1 with a consequential direction to the respondents 1 and 2 to declare the settlement deeds in Document No. 1284 of 2023, 1332 of 2023, 1542 of 2023 and 1543 of 2023 registered on the file of the Sengottai Sub Registrar Office to be null and void within the time stipulated by this Court.

2. Considering the nature of the order going to be passed in this writ petition, notice to the private respondents is dispensed with.

3. Heard the learned counsel on either side.

4. The learned counsel appearing for the petitioner submits that the petitioner purchased a land measuring to an extent of 19 ½ cents in S.No. 342/1, situated at Puliয়ারai village, Sengottai Taluk, Tenkasi District in the year 1997. On believing the words of the petitioner's sons and grandson, who

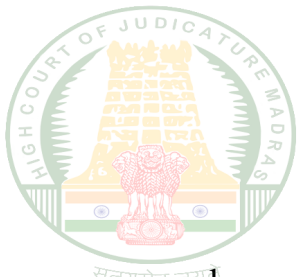


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are the private respondents herein, that they will take care of the petitioner and his aged wife by providing food, medical and other needs, the petitioner executed four settlement deeds in favour of the private respondents. However, the private respondents failed to maintain them. Therefore, the petitioner filed an application before the second respondent under Section 23 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007. The second respondent, vide order dated 05.12.2024, passed an order directing the respondents 3, 4, 6 and 7 to pay a sum of Rs.2,000/- each to the petitioner, without cancelling the settlement deeds. Hence, Challenging the same, the petitioner preferred an appeal before the first respondent and the first respondent, by order dated 19.02.2025, confirmed the order passed by the second respondent. Hence, the petitioner came before this Court seeking the aforesaid relief.

5. The petitioner filed an application before the second respondent under Section 23 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007. The second respondent, vide order dated 05.12.2024, passed an order directing the respondents 3, 4, 6 and 7 to pay a sum of Rs.2,000/- each to the petitioner. Challenging the same, the petitioner preferred an appeal before the first respondent and the first respondent also,



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by order dated 19.02.2025, confirmed the order passed by the second respondent.

6. The contention of the petitioner is that the settlement deeds executed by the petitioner have not been cancelled, which cannot be considered, since the official respondents are not competent authorities to cancel the settlement deeds.

7. It is pertinent to note that the petitioner has challenged only the order of the first respondent, without challenging the original order passed by the second respondent, which is unsustainable and bad in law. Hence, this writ petition stands dismissed for the reasons stated above. No costs.

01.04.2025

NCC : Yes/No
Index : Yes / No
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VIVEK KUMAR SINGH, J.

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Order made in
W.P.(MD)No.8846 of 2025

Dated:
01.04.2025