



W.P.(MD).No.27845 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 21.08.2025

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P(MD).No.27845 of 2022
and
W.M.P(MD) No.21932 of 2022

Vincent Barnabass

... Petitioner

Vs.

1.The District Collector,
Karur, Karur District.

2.The Revenue Divisional Officer/
Senior Citizens Maintenance and Welfare Tribunal,
Kulithalai, Karur.

3.Berkmans.I

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, calling for the records relating to the proceedings of the 1st respondent made in Mu.Mu.14124/2022 (E4) dated 11.09.2022 confirming the order passed by the 2nd respondent in his proceedings Pamu A4/5032/2022, dated 05.07.2022 and quash the same.

For Petitioner : Mr.Ponsenthilkumaran.S

For R1 and R2 : Mr.C.Satheesh
Government Advocate

For R3 : Mr.B.Jameel Arasu



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ORDER

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In this Writ Petition, the petitioner has challenged the impugned order dated 11.09.2022 passed by the first respondent. By the said order, the first respondent dismissed the appeal filed by the petitioner against the order dated 05.07.2022, whereby the settlement deed executed by the third respondent in favour of the petitioner on 05.03.2022 was cancelled.

2. The challenge to the impugned order dated 11.09.2022 passed by the first respondent is not maintainable in view of the decision of the Division Bench of this Court in *S. Rajan v. R. Srinivasan and others, W.A. No.3178 of 2024, dated 01.04.2025*. Therefore, this Writ Petition is liable to be dismissed.

3. It is further submitted by the learned counsel for the petitioner that the third respondent had executed a Will in favour of the petitioner on 25.06.2024, which has been registered as Document No.20/2024 on the file of the Tharagampatti Sub-Registrar.



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4. It is further submitted that the third respondent has also died on 09-07-2024. Since the petitioner has not challenged the order, dated 11-09-2022 of the second respondent, the said order is deemed to have attained finality and therefore, the settlement of the property in favor of the petitioner on 05-03-2022 has attained finality.

5. However, it is informed that the third respondent died during the pendency of the present Writ Petition and that the property has been bequeathed by the third respondent during his lifetime by a registered Will, dated 25-06-2024. This petition is therefore liable to be dismissed. It is for the petitioner to work out his remedy in accordance with the aforesaid Will, dated 25-06-2024 registered as document No.20/2024 before the Sub-Registrar, Tharagampatti.

6. With the above liberty, this Writ Petition is disposed of. Consequently, connected Miscellaneous Petition is closed. No costs.

21.08.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No



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C.SARAVANAN, J.

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