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W.P(MD)No.28624 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.11.2025

CORAM

THE HONOURABLE MS.JUSTICE P.T.ASHA

Writ Petition(MD)No.28624 of 2025

and

W.M.P(MD)Nos.22216 & 22218 of 2025

Narayana Thevar

..Petitioner

Vs

- 1.The District Collector,
Pudukkottai District, Pudukkottai.
- 2.The District Registrar,
District Registrar Office, Pudukkottai,
Pudukkottai District.
- 3.The Revenue Divisional Officer,
Aranthangi, Pudukkottai District.
- 4.The Sub Registrar,
Sub Registrar Office, Subramaniapuram,
Pudukkottai District.
- 5.Elavarasan,

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus to call for the records pertaining the impugned order in Na.Ka.C6/2900080/2025 dated 15.04.2025 issued by the 1st respondent and quash the same and consequently direct the respondents 1 to 4 to cancel the settlement deed in Doc.No. 765/2021 in respect of property in Survey No. 5/6A with an extent



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of 27 cents including 10 coconut trees-I survey no.9/1B with an extent of 28 cents out of 2 acre 16 cents including 20 coconut trees-II only and provide protection to the petitioners life with Rule 23(1) of Tamilnadu Maintenance and Welfare of Parents and Senior Citizens Rules 2007.

For Petitioner : Mr.C.Padma Raj

For Respondents : Mr.A.Kannan
Addl. Govt. Pleader (For R1 to R4)

Mr.A.Saravanan (For R5)

ORDER

This writ petition has been filed seeking issuance of a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order in Na.Ka.C6/2900080/2025 dated 15.04.2025 issued by the 1st respondent, quash the same, and consequently direct the respondents 1 to 4 to cancel the settlement deed in Doc.No.765/2021 in respect of the property in Survey No.5/6A measuring 27 cents with 10 coconut trees (Item I) and Survey No.9/1B measuring 28 cents out of 2 acres 16 cents with 20 coconut trees (Item II) alone, and to provide protection to the petitioner's life under Rule 23(1) of the Tamil Nadu Maintenance and Welfare of Parents and Senior Citizens Rules, 2007.



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2. The petitioner is an 88-year-old senior citizen suffering from age-related ailments. His elder son Varadharajan died in an accident, leaving behind two sons, Shanmugasundaram and Elavarasan (5th respondent). After Shanmugasundaram also died in 2021, the petitioner took care of his widow Nithiya and their two minor children. The petitioner, his wife, Nithiya, and the great grandchildren have been living together, and the petitioner, a daily-wage labourer, has been supporting the family. The 5th respondent assured the petitioner that he would take care of him and his late brother's family. Believing this, the petitioner executed a settlement deed in Doc.No. 765/2021 in favour of the 5th respondent for several items of property. After obtaining patta and revenue record mutation, the 5th respondent went abroad and failed to maintain the petitioner or the family of the late Varadharajan. He and his wife also refused to support them. Realising that he had been deceived, and being unable to sustain himself, the petitioner submitted a representation under Section 23(1) of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, seeking cancellation of the settlement deed. Though the 1st respondent forwarded the representation to the 3rd respondent, and further representations and directions were issued, no effective action was taken. The petitioner filed W.P.(MD) No.25449 of 2024, which was disposed of, leading to fresh proceedings by the 3rd respondent. Dissatisfied, the petitioner filed an appeal, which resulted in the impugned order dated 15.04.2025.



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3. It is informed by the learned counsel for the 5th respondent that the 5th respondent is ready to pay a sum of Rs.7,500/- per month as ordered by both the authorities below and is also ready to pay the arrears of maintenance within a period of one month from today.

4. Recording the same, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

17.11.2025

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

To

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P.T.ASHA, J.

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