



W.P.(MD)No.30603 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.10.2025

CORAM:

THE HON'BLE **MS.JUSTICE P.T.ASHA**

W.P.(MD).No.30603 of 2025

Umavathy

... Petitioner

Vs.

1. The District Collector,
Kanyakumari District,
at Nagarkovil.
2. The District Registrar,
District Registrar Office,
Kanyakumari,
Kanyakumari District.
3. The Revenue Divisional Officer,
Revenue Divisional Office,
Nagercoil,
Kanyakumari District.
4. The Sub Registrar,
Sub Registrar Office,
Thovalai,
Kanyakumari District.
5. Bharath
6. Ashok

... Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus to direct the respondents 1 to 4 to cancel the Settlement Deeds executed in favour of the 5th and 6th respondents in Doc No.405/2022 in survey No.559/1A1A1 with extent of 16.19 Ares and 16.19 ares and Doc.406//2022 in survey No.559/1A1A1, with an extent of 23.56 are situated at Kumarapuram Village, Thovalai Taluk, Kanyakumari District within the time frame stipulated by this Honourable Court and to provide protection to the petitioners life with Rule 23(1) of Tamil Nadu Maintenance and Welfare of Parents and Senior Citizens Rules 2007 and pass such other or further orders as this Honble Court may deem fit and proper in the circumstances of this case and thus render justice.

For Petitioner	: Mr.S.Muniyandi
For R1 & R3	: Mr.D.Sasikumar
	Additional Government Pleader
For R2 & R4	: Mr.M.Senthil Ayyanar

ORDER

The above writ petition has been filed for the following relief:-

“Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus to direct the respondents 1 to 4 to cancel the Settlement Deeds executed in favour of the 5th and 6th respondents in Doc No.405/2022 in survey No.559/1A1A1 with extent of 16.19 Ares and 16.19 ares and Doc.406//2022 in survey No.559/1A1A1, with an extent of 23.56 are situated at Kumarapuram Village, Thovalai Taluk, Kanyakumari District within the time frame stipulated by this Honourable Court and to provide protection to the petitioners life with Rule 23(1) of Tamil Nadu Maintenance and Welfare of Parents and Senior Citizens Rules 2007 and pass such other or further orders as this Honble Court may deem fit and proper in the circumstances of this case and thus render justice.”



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2. Mr.D.Sasi Kumar, learned Additional Government Pleader takes notice on behalf of the respondents 1 and 3 and Mr.M.Senthil Ayyanar, learned counsel takes notice on behalf of the respondents 2 and 4.

3. By consent of both the parties, the writ petition is taken up for final disposal at the stage of admission itself. Since no adverse orders are to be passed against the 5th and 6th respondents, notice to them are dispensed with.

4. The case of the petitioner is that she is a senior citizen aged around 65 years. Her husband namely Sivasubramanian, who was a retired Government Teacher had passed away on 03.12.2017. The petitioner has two sons viz., the 5th and 6th respondent herein and one daughter. All three of them had got married. The 5th respondent is running a Fishnet Company and is residing at the 1st floor portion of the petitioner's property while the petitioner is residing at the separate floor of the property.



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5. At this juncture, the 5th respondent disconnected the electricity connection of the petitioner's portion and continuously tortured and assaulted the petitioner in order to grab the properties. He had also made a fake allegations against the petitioner and same was registered in Crime No.50 of 2022.

6. In this connection, on 10.03.2022, a family partition was conducted in presence of the village elders and the 5th and 6th respondents were instructed to vacate the petitioner's property. Therefore, the 6th respondent vacated the petitioner's property. However, the 5th respondent refused to vacate the petitioner's property. Hence, the petitioner had sent a representation to the 3rd respondent on 27.02.2023 to protect her from the 5th respondent and further cancel the settlement deed executed in favour of her son. Based on the representation dated 27.02.2023, the 3rd respondent by his order dated 28.04.2023 directed the 5th and 6th respondents to vacate the petitioner's property but failed to cancel the settlement deed.



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7. While so, on 13.06.2025 the 5th respondent along with his henchmen forcibly entered into the petitioner's property and threatened the petitioner to execute a deed in respect of the remaining properties in favour of the 5th respondent. Therefore, the petitioner has sent a representation dated 26.08.2025 to the respondents 1 to 4 to take necessary action against the 5th and 6th respondents. However, no action has been taken to date. Aggrieved by the same, the petitioner is before this Court.

8. Mr.D.Sasikumar, learned Additional Government Pleader appearing for the respondents 1 to 3 would submit that representation dated 26.08.2025 will be considered and final orders will be passed within the time stipulated by this Court.

9. In view of the same, the 1st respondent is directed to consider the representation of the petitioner dated 26.08.2025 and pass final orders on its own merits and in accordance with law within a period of eight (8) weeks from the date of receipt of a copy of this order.



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10. The writ petition stands allowed with the above observations.

No costs.

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NCC :yes/No
Index :yes/No
Internet:yes/No
rgm



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P.T.ASHA, J.

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