



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-06-2026

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CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

WP No. 3816 of 2022

and

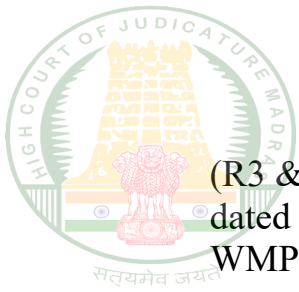
WMP No.3944 of 2022

Mrs. Bakkiyalakshmi
W/o. Devasenathipathy,
No.12/18, Kallappachi Street,
Raakiyapalayam Village, Avinashi.

..Petitioner

Vs

1. Sub Divisional Arbitrator Cum
The Revenue Divisional Officer,
Tiruppur, Tiruppur District
2. Mr. R.N.Palanisamy (Died),
S/o. Nachimuthu,
No.4/4, Kallappachi Street,
Raakiyapalayam Village, Avinashi
3. P.Kamalam,
W/o.R.N.Palanisamy,
No.4/4, Kallappachi Street,
Raakiyapalayam Village, Avinashi.
4. Indhirani,
W/o. Late Sivakumar, Illachipalayam,
Karumathampatti Village, Suler Taluk,
Coimbatore District.



(R3 & R4 were impleaded vide order dated 18.07.2022 made in WMP No.6111 of 2022)

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(Petitioner, R3 & R4 were recorded as LRs of deceased R2 vide order dated 02.03.2026 made in Memo)

..Respondents

Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorari, calling for the records pertaining in Na.Ka.No. 2861/2021/E3 dated 13.12.2021 passed by the 1st respondent and quash the same as illegal.

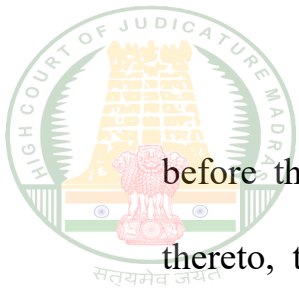
For Petitioner: Mr.P.Tamilavel

For Respondents: Mr.C.Prabakaran,
Government Counsel for R1
Ms.Kadambari Suresh
for M/s.S.V.Pravin Rathinam for R3 &R4

ORDER

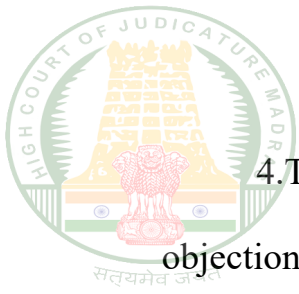
This petition has been filed challenging the order dated 13.12.2021 passed by the 1st respondent and seeking to quash the same as illegal.

2.The learned counsel appearing for the petitioner would submit that the petitioner is the daughter of the 2nd and 3rd respondents. The 4th respondent is the sister of the petitioner. Out of love and affection, the 2nd respondent(father) executed an irrevocable settlement deed vide document No.8744 of 2018 dated 12.07.2018. Thereafter, while he was alive, the 2nd respondent made a complaint



before the first respondent seeking cancellation of settlement deed. Pursuant thereto, the first respondent cancelled the settlement deed by the impugned order dated 13.12.2021. Aggrieved by the same, the petitioner has filed the present writ petition.

3.The learned counsel appearing for the petitioner would submit that the writ petition has been filed on the sole ground that the impugned order passed by the first respondent is contrary to the decision of the Full Bench of this Court reported in **2022 (7) MLJ 1** [*Sasikala and Others v.Revenue Divisional officer-cum- Sub Collector, Devakottai and another*] wherein, it was held that once a settlement deed is validly executed, the same cannot be cancelled by the first respondent under Section 23 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007. However, contrary to the aforesaid decision, the present impugned order has been passed. The learned counsel would further submit that the petitioner is ready and willing to pay a sum of Rs.15,000/- per month towards the maintenance of her mother, the 3rd respondent herein, following the demise of her father. It was also submitted that the petitioner, along with the 4th respondent, is taking care of her mother.



4. The learned counsel for the 3rd respondent submitted that she has no objection to the submissions made by the learned counsel for the petitioner.

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5. Applying the ratio laid down by the Full Bench of this Court reported in 2022 (7) MLJ 1, this Court is of the view that, since the 2nd respondent had executed an irrevocable settlement deed in favour of the petitioner, the same could not have been cancelled by the first respondent. Therefore, the impugned order dated 13.12.2021 passed by first respondent is liable to be set aside.

6. Accordingly, this writ petition is allowed and the impugned order dated 13.12.2021 is hereby set aside. In view of the above, and as undertaken by the petitioner, there shall be a direction to the petitioner to pay a sum of Rs.15,000/- per month towards the maintenance of the 3rd respondent on or before the 7th day of every English calendar month. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

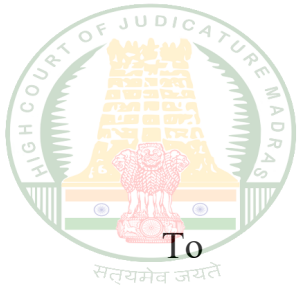
22-06-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

Uma



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To

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1. Sub Divisional Arbitrator Cum
The Revenue Divisional Officer, Tiruppur,
Tiruppur District



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WP No. 3816 of 2



M.DHANDAPANI, J.

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**WP No. 3816 of 2022 and
WMP No.3944 of 2022**

22-06-2026