



WEB COPY

WMP No. 14127 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-04-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

WMP No. 14127 of 2026

IN

REV.APLW SR NO. 8241 OF 2026

Kuppan
S/o.Late Karuppayeammal
Residing at Moorarpalayam Village
Sankarapuram Taluk
Kallakurichi District.

..Petitioner(s)

Vs

1. M. Dhanavel
S/O. Mayavel
Seshasamuthiram village
Sankarapuram Taluk,
Kallakurichi District
2. The First Class Executive Magistrate Cum Sub
Collector
Kallakurichi Kallakurichi District
3. Late Karuppayeammal
(Died on 20.02.2022)
4. The Sub Registrar
Sankarapuram Taluk Kallakurichi District

..Respondent(s)

REV.APLW SR No. 8241 of 2026

Kuppan

..Petitioner(s)

Vs

M. Dhanavel

..Respondent(s)

**WMP No. 14127 of 2026**

To grant leave to the petitioners legal heir of the deceased 2nd respondent to file Review Petition against the Order passed in WP.No. 7232 of 2021 dated 01.10.2024.

WMP No. 14127 of 2026

For Petitioner(s): Mr.S.Nedunchezhiyan

Order

This writ miscellaneous petition has been filed to grant leave to the review petitioner being the legal heir of the deceased 2nd respondent to file a Review Petition against the Order passed in WP.No. 7232 of 2021 dated 01.10.2024.

2. Case of the review petitioner is that he is the son and legal heir of the deceased 2nd respondent, who passed away during the pendency of the writ petition. 1st respondent herein was the writ petitioner / grandson of the 2nd respondent, who filed the writ petition against the cancellation of Settlement Deed executed by the 2nd respondent in favour of him. The writ petition was allowed on 01.10.2024, set aside the impugned order and a direction was issued to the petitioner to maintain his grandmother by paying a sum of Rs.2,500/- as maintenance. Aggrieved by the said order, the present review application is filed seeking leave to file a review.



3. Learned counsel for the review petitioner submitted that the 2nd respondent had died on 20.02.2022 during the pendency of the writ petition.

However, the said fact was suppressed by the writ petitioner, who proceeded with the matter and obtained an order from this Court. It is further submitted that there is also a civil dispute between the parties in respect of the very same property.

4. It is further contended that non consideration of the death of the 2nd respondent during the pendency of the writ petition as well as the rights of legal heirs constitutes an error apparent on the face of the record. Hence learned counsel prayed for leave of this Court to file a review petition against the Writ Court order.

5. Heard the counsel for the petitioner and also perused the materials placed on record.

6. The issue in the main writ petition pertained to the validity of cancellation of Settlement Deed executed in favour of the writ petitioner by the 2nd respondent. This Court while allowing the writ petition, held that Settlement Deed did not contain any reservation clause or life interest and thereby followed the decision of the Apex Court in the case of ***Sudesh Chhikara vs. Ramti Devi and another.***



7. In the considered view of this Court, the review petitioner cannot be termed as an aggrieved person in respect of the order passed in the writ petition.

The grounds raised do not constitute an error apparent on the face of the record so as to warrant interference by way of review.

8. Accordingly, the present writ miscellaneous petition is misconceived and the same is dismissed. No costs. Hence, the review petitioner is not aggrieved person. The present petition is misconceived and accordingly, this writ miscellaneous petition is dismissed.

17-04-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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To

1. The First Class Executive Magistrate Cum Sub Collector
Kallakurichi Kallakurichi District

2. The Sub Registrar
Sankarapuram Taluk Kallakurichi District



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M.DHANDAPANI J.
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