



WEB COPY

WP No. 13542 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-06-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

WP No. 13542 of 2022

and

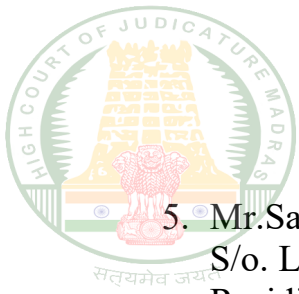
WMP.No.12744 of 2022

1. R.Mala
W/o.Thiru Mani,
No.1/39, Ekkambara Chathiram,
Pandeewaram, Chennai -55.
2. Tmt. G.Kalavathi,
W/o.Gunasekar,
No.20/36, 9th Street,
Padi Pudu Nagar,
Anna Nagar West,
Chennai 600 101.

..Petitioner(s)

Vs

1. The District Collector,
Chennai Collectorate,
Chennai 600 001.
2. The Revenue Divisional Officer (RDO)
Chennai Central Division,
Anna Nagar West Extension,
Chennai 600 101.
3. The Sub Registrar,
Office of the Sub Registrar,
Villivakkam, Chennai.
4. Tmt. Radha,
W/o.Late Kasi Viswanathan,
Residing at No.20/36, 9th Street,
Padi Pudu Nagar, Anna Nagar West,
Chennai 600 101.



5. Mr.Sankar,
S/o. Late Kasi Viswanathan,
Residing at No.20/36, 9th Street,
Padi Pudu Nagar, Anna Nagar West,
Chennai 600 101.

6. Mr.Siva Ganesh,
S/o. Late Kasi Viswanathan,
Residing at No.20/36, 9th Street,
Padi Pudu Nagar, Anna Nagar West,
Chennai 600 101.

..Respondent(s)

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus, calling for the records of the second respondent in his impugned No.Na.Ka. No. A4 /1921 /2021 dated 28/02/2022 and quash the same as illegal and consequently direct the third respondent to cancel the settlement deed in favour of the 6th respondent vide registered document No.2379 of 2022 dated 29/03/2022.

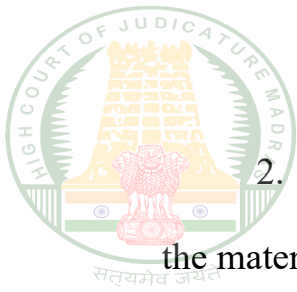
For Petitioner(s): Mr.M.Silambarasan

For Respondent(s): Mr.C.Prabakaran,
Government Counsel for R1 to R3

Mr. V.Karthikeyan for R4 to R6

ORDER

The impugned order passed by the second respondent in Na.Ka.No.A4 /1921/2021 dated 28.02.2022, is put under challenge in the present Writ Petition. Consequently, the petitioners have sought for a direction to the third respondent to cancel the settlement deed in favour of the sixth respondent vide registered document No.2379 of 2022 dated 29.03.2022.

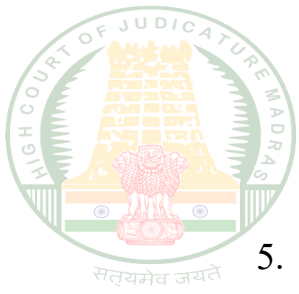


2. Heard the learned counsels appearing on either side and also perused the materials available on record.

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3. In view of the order proposes to be passed in this Writ Petition, WMP.No.12740 of 2022 filed by the petitioners to permit them to join together to file a single Writ Petition is allowed, subject to payment of a Single Court Fee.

4. It is the case of the petitioners that they are the foster daughters of the fourth respondent, who is none other than the second wife of their father Late Kasi Viswanathan. The fourth respondent executed a settlement deed in respect of the joint family property in favour of the petitioners and respondents 5 & 6 herein vide Settlement Deed dated 03.07.2019. At the instigation of the respondents 5 & 6 herein, the fourth respondent made a complaint before the second respondent for cancellation of the settlement deed dated 03.07.2019 under Section 23 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007. Thereafter, the second respondent without considering the nature of the settlement deed executed by the fourth respondent, had cancelled the same vide impugned order dated 28.02.2022 and pursuant to the impugned order of the second respondent, the third respondent registered the settlement deed in favour of the sixth respondent executed by the fourth respondent on 29.03.2022. Aggrieved by the same, the present Writ Petition has been filed.



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5. The learned counsel for the petitioners submitted that the settlement deed executed by the fourth respondent is irrevocable as the same is without any condition, however, the second respondent without considering the nature of the settlement deed had cancelled the said settlement deed which is unsustainable and the same is contrary to the decision of the Hon'ble Full Bench of this Court in the case of *Sasikala Vs. Revenue Divisional Officer in W.P.(MD) Nos.6889, 8330, 13297 of 2015 and W.A.(MD) No.800 of 2022 dated 02.09.2022 reported in 2022 (7) MLJ 01*. He further submitted that pursuant to the cancellation of the settlement deed, the fourth respondent executed another settlement deed in favour of the sixth respondent on 29.03.2022. Hence, he prayed this Court to set aside the impugned order of the second respondent dated 28.02.2022 and to cancel the second settlement deed dated 29.03.2022 and to allow the Writ Petition.

6. Per contra, the learned counsel for the respondents 4 to 6 submitted that the petitioners are not Class I legal heirs of the fourth respondent and they are foster daughters / daughters of her deceased husband. He contended that the fourth respondent had inadvertently executed the aforesaid settlement deed in favour of the petitioners, which was rightly cancelled by the second respondent vide order dated 28.02.2022 and hence, the same warrants no interference. He further submitted that there are several civil suits pending between the parties



namely, O.S,Nos.320, 142, 202, 285 of 2022 & O.S.No.54 of 2023 and thus, prayed this Court to dismiss the Writ Petition.

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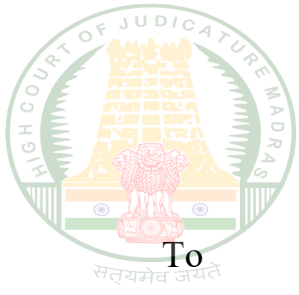
7. Considering the facts and circumstances of the case and in the light of the decision of the Hon'ble Full Bench as stated supra, this Court sets aside the impugned order of the second respondent dated 28.02.2022, as the settlement deed executed by the fourth respondent is an irrevocable one and consequently, the third respondent is directed to cancel the second settlement deed dated 29.03.2022 executed by the fourth respondent in favour of the sixth respondent. However, liberty is granted to the parties to canvass all their contentions in regard to the subject issue before the Civil Court concerned, where the Civil Suits are pending.

8. In the result, the Writ Petition is allowed. Consequently, connected Miscellaneous Petition is closed. There shall be no order as to costs.

18-06-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

DP



To

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1. The District Collector,
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2. The Revenue Divisional Officer (RDO)
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M.DHANDAPANI, J.

DP

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