



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-06-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

WP No. 21668 of 2023

Malarkodi

W/o.Venkataswamy, Flat No.15, Door No.3, Sri
Velam Flats, Laxmi Nagar 2nd Street,
Chitlapakkam, Selaiyur, Chennai-73.

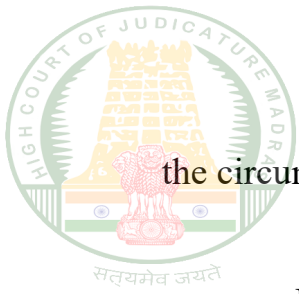
..Petitioner(s)

Vs

1. The State Rep. by
The District Collector,
Chengalpattu.
2. The Revenue Divisional Officer,
Tambaram.
3. The Sub-Registrar,
Tambaram.
4. V.Vijayakumar
S/o.Venkatasamy, No.9204, Spade Circle,
Ausin 78717, Texas,
USA

..Respondent(s)

Writ Petition filed under Article 226 of Constitution of India seeking for issuance of Writ of Certiorari to call for the records in Na.Ka. No.2159/2023 and to quash the same and further may also be pleased to direct the 3rd respondent herein to cancel the settlement deed registered vide document No.242/2018 dated 18.01.2018 on the file of Sub-Registrar, Tambaram and further may be pleased to direct the 4th respondent to pay the petitioner a sum of Rs.50,000 (Rupees Fifty Thousand only) as maintenance and may also be please to pass any other writ or direction as deem fit and proper in



the circumstance of this case.

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For Petitioner(s):

Mr.G.Krishnamurthy

For Respondent(s):

Mr.P.Siddharth (R1 to R3)

Government Counsel

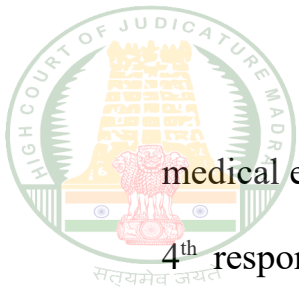
Mr.Rajendran Raghavan (R4)

ORDER

This Writ Petition has been filed challenging the order dated 06.03.2023 passed by the 1st respondent and to quash the same and for a direction to the 3rd respondent herein to cancel the settlement deed registered vide document No.242/2018 dated 18.01.2018 on the file of Sub-Registrar, Tambaram and further direct the 4th respondent to pay the petitioner a sum of Rs.50,000 (Rupees Fifty Thousand only) as maintenance.

2. The brief facts of the case are as follows:

(i) The petitioner is the senior citizen and she is the mother of the 4th respondent. During the year 2006, the petitioner purchased a Flat at No.15. Door No.3, 2nd Street, Laxmi Nagar, Chitlapakkam, Saleiyur. While so, the petitioner underwent Kidney transplant operation on 06.01.2018, for which a sum of Rs.28,00,000/- was spent by her husband by borrowing loan from their friends and relatives. Thereafter, believing the words of the 4th respondent that he will repay the loan obtained by the petitioner and her husband for her



medical expenses, the petitioner settled the aforesaid property in the name of the 4th respondent vide document No.242/2018 dated 18.01.2018. Subsequently, the 4th respondent without fulfilling his promise, left to U.S. and also failed to take care of the petitioner. Therefore the petitioner filed a petition under Section 4 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, before the 2nd respondent seeking to cancel the aforesaid settlement deed and the 2nd respondent dismissed the same, with a direction to the 4th respondent to pay a sum of Rs.10,000/- as maintenance.

(ii) Being aggrieved the petitioner preferred an appeal before the 1st respondent and the same was dismissed, confirming order of the 2nd respondent. Subsequently, the petitioner filed a review petition before the 1st respondent, seeking to increase the maintenance amount ordered from Rs.10,000/- to Rs.30,000/- and the same was dismissed vide order dated 06.03.2003 with a direction to approach the appropriate Court as there is no provision for review under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007. Challenging the said order, this Writ Petition has been filed.

3. At this stage of hearing of this Writ Petition, the learned counsel appearing for the petitioner would submit that this Court, by considering the fact that the petitioner is a senior citizen who had spent substantial amounts for her own medical expenses and also as the property which she had purchased is

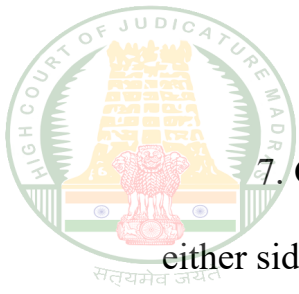


now in possession of the 4th respondent, as an interim measure had enhanced the maintenance ordered by the 2nd respondent from Rs.10,000/- to Rs.20,000/- and the said order may be made final.

4. The learned State Counsel appearing for the respondents 1 to 3 would submit that since the 4th respondent had agreed to pay maintenance to the petitioner and apart from that since the Settlement Deed executed by the petitioner does not mention any condition, the petition made by the petitioner for cancellation of Settlement Deed was dismissed, with a direction to the 4th respondent to pay a sum of Rs.10,000/- to the petitioner.

5. The learned counsel appearing for the 4th respondent would submit that the petitioner had spent nearly 56 lakhs towards the medical expenses of the petitioner and apart from that the house where is petitioner is residing and which was settled in favour of the 4th respondent was purchased by the 4th respondent by obtaining loan from State Bank of India, Selaiyur Branch, Chennai and therefore it is difficult for him to pay a sum of Rs.20,000/- every month to the petitioner. Hence, he prays for appropriate orders.

6. Heard both sides. Perused the records.



7. Considering the submissions made by the learned counsel appearing on either side and considering the fact that the petitioner is a senior citizen who had incurred huge medical expenses and the property purchased by her was also settled in favour of the 4th respondent, who is the son of the petitioner and he is duty bound to take care of his mother, who is a senior citizen, as per Section 4 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, this Court is of the view that the maintenance ordered by this Court vide order dated 24.01.2025 may be confirmed. Accordingly the same is confirmed and the petitioner is directed to pay a sum of Rs.20,000/-every month to the petitioner towards her maintenance.

8. With the above directions, this Writ Petition is disposed of. No costs.

12-06-2026

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

1. The District Collector Chengalpattu.
2. The Revenue Divisional Officer,
Tambaram
3. The Sub-registrar,
Tambaram
4. V.Vijayakumar
S/o.Venkatasamy, No.9204, Spade Circle,
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WP No. 21668 of 2



M.DHANDAPANI, J.

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WP No. 21668 of 2

