



W.P.(MD).No.29364 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.02.2026

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.29364 of 2025

and

W.M.P(MD) No.22698 of 2025

Esakkiyammal

... Petitioner

Vs.

1.The District Collector,
Tenkasi District,
Tenkasi.

2. The Revenue Divisional Officer,
Tenkasi,
Tenkasi District.

3. Mutharasan

4. Subbaiahkani

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus to call for the records pertaining to impugned order passed by the 1st respondent in Mu.Mu.A1/6500/2025 dated 24.07.2025 which confirmed the impugned order passed by the 2nd Respondent in Mu.Mu.A1/541/2025 dated 15.05.2025 and quash the same as illegal consequentially directing the respondents 1 and 2 to cancel the settlement deeds 11.12.2024 in Document Nos.2376 and 2377

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on the file of the Shengottai Sub-Registrar Office, Tenkasi District by considering her representation dated 11.09.2025.

For Petitioner : Mr.A.Sankararamasubramanian

For R1 & R2 : Mr.M.Gangadharan
Government Advocate

For R3 & R4 : Mr.R.Mathava Selvam

ORDER

The present writ petition has been filed by a senior citizen challenging the order passed by the first respondent herein, wherein the request of the petitioner for cancellation of the settlement deed executed in favour of the respondents 3 and 4 has been rejected and an order of maintenance has been ordered.

2. Pending writ petition, the respondents 3 and 4, who are the sons of the writ petitioner have filed an undertaking affidavit. Paragraph Nos.6 and 7 of the said undertaking affidavit are extracted as follows:

6. That Me and the 4th respondent are ready and willing to take care of and provide all the necessity support to our mother, the petitioner



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herein and we are also ready and willing to pay the monthly maintenance as per the order passed by the 2nd respondent on 15.02.2025.

*7. Further we submit that **myself and the 4th respondent are ready to accommodate our mother in our house in Door No.2-2-191, South street, Lalakudiruppu, and provide all necessary facilities as and when required.** Without failing the same, we undertake to obey any further conditions imposed by this Hon'ble Court.*

3. The petitioner has filed an affidavit accepting the said undertaking.

Paragraph Nos. 5 to 8 of the affidavit filed by the petitioner are extracted as follows:

5. I humbly submit that the above writ petition was come up before this Hon'ble Court, at the time of hearing of the above said writ petition, the respondents 3 and 4 filed undertaken affidavit dated 15.12.2025 before this Hon'ble Court and given undertaken of the following facts that,

6. That me and the 4th respondent are ready and willing to take care of and provide all the necessity support to our mother, the petitioner herein and we are also ready and willing to pay the



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monthly maintenance as per the order passed by the second respondent on 15.05.2025.

*7. Further we submit that **myself and the fourth respondent** are ready to accommodate our mother in our house in Door No.2-2-191, South Street, Lalakudiruppu and provide all necessary facilities as and when required. Without failing the same, we undertake to obey any further conditions imposed by this Hon'ble Court.*

8. I humbly submit that I verified the entire averments stated in the undertaken affidavit jointly filed by the respondents 3 and 4, as per the undertaken submitted by the respondents 3 and 4, they ready to accommodate me in the house in Door No.2-2-191, South Street, Lalakudiruppu, Tenkasi District and both the respondents 3 and 4 also ready to pay monthly maintenance amount of Rs3,000/- each to me. I ready to accept the said undertaking given by the respondents 3 and 4, hence, I filed this undertaken affidavit to that effect. In case, the respondents 3 and 4 not followed and not acted upon on their own undertaken submitted before this Hon'ble Court, I will approach the 1st and 2nd respondent for appropriate remedy to cancel the earlier settlement deed dated 11.12.2024 in Doc.No.



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2376 & 2377 on the file of the Shengottai Sub-Registrar Office, Tenkasi District were executed in favour of the respondents 3 and 4 in accordance with law. Therefore, kindly accept this undertaken affidavit and pass such other or further order as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

4. The parties have arrived at an amicable compromise to the effect that the respondents 3 and 4 have agreed to take care of the petitioner. In case of any failure on the part of the respondents 3 and 4, the petitioner is entitled to again approach the second respondent for cancellation of the settlement deed.

5. With the above said observation, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently connected Miscellaneous Petition is closed.

11.02.2026

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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To

1. The District Collector,
Tenkasi District,
Tenkasi.

2. The Revenue Divisional Officer,
Tenkasi,
Tenkasi District.



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R.VIJAYAKUMAR,J.

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