



W.P(MD)No.35549 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.03.2026

CORAM

THE HONOURABLE MR.JUSTICE HEMANT CHANDANGOUDAR

Writ Petition(MD)No.35549 of 2025

and

W.M.P(MD)No.28201 of 2025

P.Balasubramanian

.. Petitioner

Vs

1.The District Collector,
Sivagangai District,
Sivagangai District.

2.The Revenue Divisional Officer,
Devakottai,
Sivagangai District.

3.K.Palaniyappan

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari to call for the records relating to the impugned order passed by the first respondent dated 28.10.2025 in his proceedings in Na.Ka.T1/12276/2025 and to quash the same as illegal.

For Petitioner : Mr.S.Sukumar

For Respondent : Mrs.P.B.Ahamed Yasmin Parvin

Govt. Advocate for R1 and R2



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ORDER

The petitioner challenges the order dated 28.10.2025 passed by the first respondent. By the said order, the first respondent cancelled the settlement deed dated 09.11.2022, executed by the third respondent in favour of the petitioner.

2. The third respondent is the father of the petitioner and he has executed a settlement deed on 09.11.2022 in favour of the petitioner in respect of the property in S.No.165/4A of Varivayal Village, Poiyalur Panchayat. The third respondent filed a complaint under Section 23 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007.

3. The petitioner challenged the proceedings before this Court in W.P(MD)No.20979 of 2024. This Court, vide order dated 03.09.2024, disposed of the writ petition, observing that since no condition was stipulated in the settlement deed, the document could not be cancelled as a matter of right. However, the first respondent was directed to enquire into the matter and pass appropriate orders on merits, in accordance with the law.



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4.The second respondent passed an order directing the petitioner, his brother, and sister to pay a sum of Rs. 2,000/- each as maintenance to the third respondent. Against the said order, the third respondent filed an appeal before the first respondent. The first respondent, through the impugned proceeding, passed the cancelled the settlement deed.

5. Heard the learned counsel for the petitioner and the learned Government Advocate appearing for the respondents 1 and 2. Although notice has been served on the third respondent, he has not appeared either in person or through his counsel, and his name is printed in the cause list.

6. The impugned order, which is in the vernacular language, was read over and transcribed by the learned counsel for the petitioner and the learned Government Advocate appearing for respondents 1 and 2. The impugned order reveals that, except for the facts and events, no reasons are provided for the cancellation of the settlement deed. Therefore, the impugned order passed by the first respondent is not a speaking order and violates the principles of natural justice. Hence, the impugned order is liable to be set aside.



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7. Accordingly, the writ petition is allowed, and the impugned order passed by the first respondent on 28.10.2025 in his proceedings in Na.Ka.T1/12276/2025 is set aside. The first respondent is hereby directed to reconsider the matter afresh and pass a speaking order after affording an opportunity for hearing to the petitioner and the third respondent. This exercise shall be completed within a period of three months from the date of receipt of a copy of this order. No costs. Consequently, the connected miscellaneous petition is closed.

02.03.2026

NCC : Yes/No

Index : Yes/No

Internet:Yes

skn

To

1.The District Collector,

Sivagangai District,

Sivagangai District.

2.The Revenue Divisional Officer,

Devakottai,

Sivagangai District.



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HEMANT CHANDANGOUDAR, J.

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