



WEB COPY

WP No. 8613 of 2020



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-09-2025

CORAM

THE HONOURABLE MR JUSTICE M.DHANDAPANI

WP No. 8613 of 2020

AND WMP NO. 10415 and 10422 OF 2020

1. E.Rajeshwari
W/O.Elangovan,10/262,Sumangali
garden,Neikarapatty,Vilakottaimedu,
Salem District.

Petitioner(s)

Vs

1. The Sub Divisional Magistrate
Revenue divisional officer,(Tribunal for
maintenance and Welfare of parents and
Senior Citizens) Salem District.

2.Munian

Respondent(s)

PRAYER

This writ petition is filed under Article 226 of Constitution of India, to issue a writ of Certiorari, calling for the records with respect of the impugned order passed by the 1st respondent in his proceedings dated 16.06.2020 in Na.Ka.5403/2019/A3 and quash the same.

For Petitioner(s): Mr.R.Nalliyappan

For Respondent(s): Mrs.S.Anitha SGP R1

M/s. N.MANOKARAN, R2



ORDER

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2. It is the case of the petitioner that the second respondent is the father of the petitioner. Out of love and affection, the second respondent executed a settlement deed in favour of the petitioner on 17.02.2010 without any condition. Subsequently, the second respondent made a complaint before the first respondent under the Maintenance and Welfare of Parents and Senior Citizens Act 2007 before the first respondent to cancel the settlement deed. The first respondent cancelled the afore said settlement deed. Challenging the said order, the petitioner has filed the present writ petition.

3. The learned counsel for the petitioner submitted that the second respondent settled the vacant plot in favour of the petitioner and thereafter the petitioner herein only constructed superstructure over the said property by availing loan amount. Further, all the revenue records are also mutated in favour of the petitioner herein. Under these circumstances, it is not correct to cancel the said settlement deed by invoking section 23(1) of the said Act.

4. The learned counsel for the second respondent submitted that the



settlement deed contains a clause that the petitioner should take care of and maintain the second respondent. But the petitioner has refused to take care of her father. Therefore, he made a complaint before the first respondent to cancel the settlement deed. The first respondent also rightly cancel the same, which needs no interference.

5. In reply, the learned counsel for the petitioner submitted that she is ready to pay a sum of Rs.12,000/- to the second respondent for maintenance.

6. The second respondent has also accepted the same.

7. Heard both sides and perused the materials available on record.

8. In view of the consent view expressed by the both side, this Court directs the petitioner to pay a sum of Rs.12,000/- (Rupees Twelve thousand only) to the second respondent on or before 5th of every English Calender month till his life time.

9. With the above direction, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

08-09-2025

rli



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M.DHANDAPANI J.

rli

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

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