



WEB COPY

WP No. 20689 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-06-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

WP No. 20689 of 2024

K.Mani

..Petitioner(s)

Vs

1. The District Collector
O/o.The Collector,
Chennai District.
2. The Revenue Divisional Officer
Central Chennai Division,
Chennai.
3. The Sub Registrar
O/o.Joint-II Saidapet Sub Registrar Office
Chennai.
4. Karthikeyan

..Respondent(s)

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus, calling for the entire records of the order passed in Se. Mu. Na.Ka. 2097/ A1/ 2022 dated 07.12.2022 by the 1st respondent confirming the order dated 19.07.2022 in proceedings in Na.Ka. No.2989/ 2021/ A4 by the 2nd respondent and quash the same and consequently directing the respondents 1 and 2 to take necessary actions for cancelling the alleged settlement deeds viz., 1)Settlement Deed dated 03.10.2012 and registered on 03.01.2013 under Doc.No.10 of 2013 on the file of the 3rd respondent and 2)Settlement Deed dated 25.03.2013 under Doc. No.711 of 2013 on the file of the 3rd respondent within the time frame fixed by this Court.



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For Petitioner(s): Mr.E.Kotteeswaran
For R1 to R3: Mr.C.Prabakaran,
Government Counsel
For R4: Mr.K.Madhan

ORDER

This Writ Petition has been filed calling for the entire records of the order passed in Se. Mu. Na.Ka. 2097/ A1/ 2022 dated 07.12.2022 by the 1st respondent confirming the order dated 19.07.2022 in proceedings in Na.Ka. No.2989/ 2021/ A4 by the 2nd respondent and quash the same and consequently directing the respondents 1 and 2 to take necessary actions for cancelling the alleged settlement deeds viz., 1)Settlement Deed dated 03.10.2012 and registered on 03.01.2013 under Doc.No.10 of 2013 on the file of the 3rd respondent and 2)Settlement Deed dated 25.03.2013 under Doc. No.711 of 2013 on the file of the 3rd respondent within the time frame fixed by this Court.

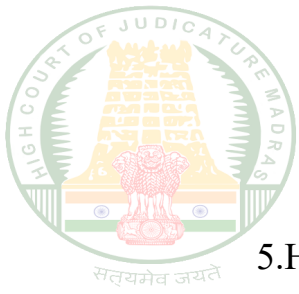
2.It is the case of the petitioner that one of his son, who is the 4th respondent herein had fraudulently got the two properties settled in his name from the petitioner. The petitioner made a representation before the 2nd respondent under Section 23 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 for cancellation of the alleged two settlement deeds. The 2nd respondent by order dated 19.07.2022, held that the said cancellation is not permissible as per law and directed the three children of the petitioner,



including the 4th respondent to pay a sum of Rs.3,000/- each as maintenance to the petitioner. Aggrieved by the same, the petitioner preferred an appeal before the 1st respondent, wherein the 2nd respondent's order was confirmed. Challenging the order of the 1st respondent confirming the order of the 2nd respondent, the petitioner has come out with the present Writ Petition.

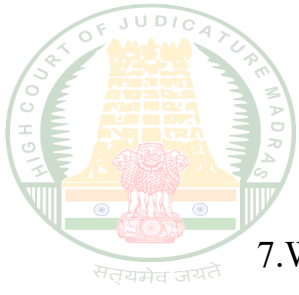
3.The learned counsel for the petitioner fairly submitted that the petitioner father, out of love and affection, had executed an irrevocable settlement deed in favour of the 4th respondent. The said settlement deed was executed without any condition. Thereafter, the 4th respondent made a complaint before the 2nd respondent under the Maintenance and Welfare of the Parents and Senior Citizens Act, 2007, for cancellation of the settlement deed. However, the 2nd respondent ordered for maintenance of only a meagre sum of Rs.3,000/- each by the children of the petitioner, including the 4th respondent. Subsequent to the order passed, the petitioner is under the care and custody of his elder son namely Gurumoorthy. The learned counsel for the petitioner prayed that this Court may fix a reasonable enhancement of the maintenance amount fixed by the 2nd respondent.

4.The learned counsel appearing for the 4th respondent submitted that the 4th respondent is ready to pay a sum of Rs.15,000/- per month as may fixed by this Court as maintenance to the petitioner father.



5. Heard the learned counsel for the petitioner, learned counsel appearing for the respondents 1 to 3 as well as the learned counsel for the 4th respondent and perused the entire materials on record.

6. The fact in the present case is not in dispute. Admittedly, the petitioner is the father of the 4th respondent and the petitioner had executed irrevocable settlement deeds in favour of the 4th respondent out of love and affection. Thereafter, the petitioner made a representation to the 2nd respondent to cancel the settlement deeds. The 2nd respondent by order dated 19.07.2022, directed the three children of the petitioner to pay a sum of Rs.3,000/- each as maintenance to the petitioner, which is very meagre. Hence, this Court is inclined to fix the maintenance amount payable by the 4th respondent in favour of the petitioner. Accordingly, the 4th respondent is directed to pay a sum of Rs.15,000/- (Rupees Fifteen Thousand Only) as a monthly maintenance to the petitioner on or before 7th of every month, commencing from July, 2026 and prior to that, pay a sum of Rs.7,500/- as arrears amount from the date of impugned order of the 2nd respondent dated 19.07.2022, till June 2026, if not already paid. The above said arrears amount should be paid within a period of four weeks from the date of receipt of a copy of this order, by way of Demand Draft to the credit of petitioner.



7. With the above direction, this Writ Petition is disposed of. No costs.

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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

GSA

To

1. The District Collector
O/o.The Collector, Chennai District.
2. The Revenue Divisional Officer
Central Chennai Division, Chennai
3. The Sub Registrar
O/o.Joint-II, Saidapet Sub Registrar Office
Chennai.



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M.DHANDAPANI J.

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