

WEB COPY

W.P.No.30322 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-06-2026

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.30322 of 2024

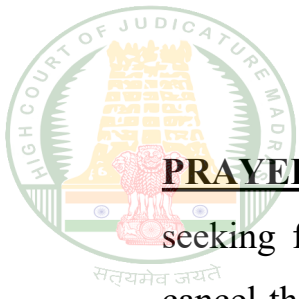
Subramaniya Gounder @ Subramani
S/o.Muthu,
1/11, Erikadu, Mettuvelanpatii, Palanthinnipatti,
Rasipuram Taluk, Namakkal District.

..Petitioner

Vs

1. The District Collector
Namakkal District, Namakkal.
2. The District Social Welfare Officer
Namakkal District, Namakkal.
3. The Revenue Divisional Officer
Namakkal District, Namakkal.
4. The District Registrar,
District Registration Office,
Namakkal, Namakkal District.
5. The Sub Registrar,
Rasipuram Registration Office,
Namakkal District.
6. Gobi,S/o.Kadirvel,
5/6, Mamarathukadu, Rakkipatti,
Vembadthalam, Salem District.
7. Sakthivel, S/o.Subramani,
Door No.15, Green Land Avenue, Sangagiri
Main Road, Pallipalayam Agraharam Village,
Kumarapalayam Taluk, Namakkal District.

..Respondents



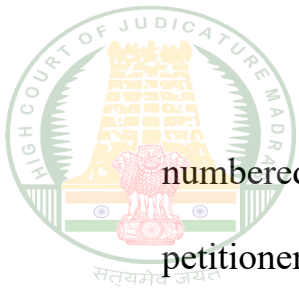
PRAYER: Writ Petition filed under Articles 226 of the Constitution of India seeking for a Writ of Mandamus to direct the first and third respondents to cancel the sale deed in favour of the 6th respondent herein by the petitioner in Document No.6140/2021 on the file of Sub-Registrar, Rasipuram the 5th respondent herein, by considering the representation of this petitioner dated 30.9.2024 on the file of respondents 1 to 5 herein to secure the ends of justice and pass orders.

For Petitioner:	Mr.R.Sankarasubbu
For Respondents:	Ms.A.Suganya, Govt. Counsel for RR 1 to 5

ORDER

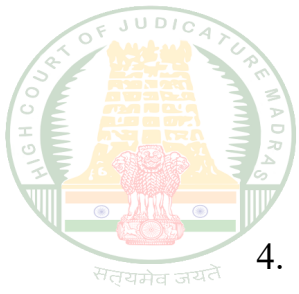
The petitioner herein, is a senior citizen, aged about 80 years old, residing along with his wife Rukmini, who is 75 years of age. The petitioner got three children, viz. (1) Chandrasekar (2) Murugan and (3) Maheswari. The petitioner was in possession of 9.80 acres of land in Mattuvelanpatti, which is a self-acquired property since 1970. While being so, the petitioner executed a Settlement Deed, dated 20.11.2021 vide Document No.6140 of 2021 on the file of Sub-Registrar, Rasipuram in favour of his grandson viz. Gobi, son of the petitioner's daughter Maheswari, the sixth respondent herein.

2. According to the learned counsel for the petitioner, the said Gobi betrayed the petitioner and his wife and failed to take proper care of them. Aggrieved by the same, the petitioner filed an objection petition before the Sub Registrar, Rasipuram/ 5th respondent herein on 03.07.2023 and the same is



numbered as Objection Petition No.59/2023. He further submitted that the petitioner moved a petition before the Revenue Divisional Officer, Rasipuram / 3rd respondent herein under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, to cancel the Settlement Deed executed by him in favour of his grandson Gobi. Meanwhile, the sixth respondent sold the property to the seventh respondent, in order to grab the entire asset from the petitioner, thereby leaving the petitioner and his wife homeless, without providing food and shelter.

3. In the Objection Petition No.59/2023 filed by the petitioner herein, the 3rd respondent ordered Rs.5,000/- per month as maintenance and failed to cancel the Settlement Deed. Aggrieved by the same, the petitioner preferred an appeal before the Social Welfare Officer, Namakkal / 2nd respondent herein vide Na.Ka.No.1038/Po.Ps.Sa/2023 and the enquiry is still pending. Further a suit in O.S.No.143 of 2023 is also filed and I.A.No.1 of 2023 is still pending in the same. Since the sixth respondent created an Encumbrance Certificate and sold the property to the seventh respondent vide Document No.63/2024 dated 13.09.2024, on the file of Sub-Registrar Office, Rasipuram, the petitioner submitted a representation to the respondents 1 to 5 to cancel the document No.63 of 2024 dated 13.09.2024 and also the Settlement Deed executed vide document No.6140 of 2021 dated 20.11.2021. Since the representation made by the petitioner has not been considered till date, the petitioner has preferred the present writ petition.



4. Heard the learned counsel for the petitioner and the learned Government Counsel appearing for the respondents and perused the materials placed before this Court.

5. In view of the submissions made by the learned counsel for the petitioner, this Court directs the first respondent herein to issue appropriate directions to the second respondent to consider the appeal filed by the petitioner vide Na.Ka.No.1038/Po.Ps.Sa/2023 and pass orders on merits and in accordance with law within a period of twelve(12) weeks from the date of receipt of a copy of this order.

6. With these observations and directions, the Writ Petition stands disposed of. No costs.

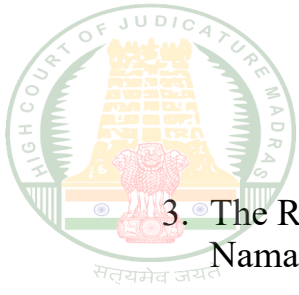
23-06-2026

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

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To:

1. The District Collector,
Namakkal District, Namakkal.
2. The District Social Welfare Officer,
Namakkal District, Namakkal.



3. The Revenue Divisional Officer,
Namakkal District, Namakkal.

4. The District Registrar,
District Registration Office, Namakkal,
Namakkal District.

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M.DHANDAPANI J.

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Order made in
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