



W.P(MD)No.14511 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.08.2025

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.14511 of 2024

and

W.M.P(MD)Nos. 12746 & 12747 of 2024

Thageera Banu

... Petitioner

VS.

1. The Sub-Divisional Magistrar,
Cum Revenue Divisional Officer,
Paramakudi, Ramnad District.

2. Jahufer Nisha

3. The Sub Registrar, Paramakudi,
Ramnad District.

... Respondents

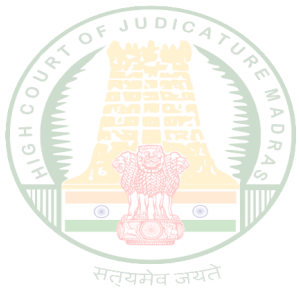
PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the 1st respondent proceedings in Pa.Moo.A2/3456/2021 dated 19.01.2022 and quash the same and direct the 3rd respondent to cancel the document No.1587/2022 dated 30.03.2022 and restore the document No. 2482/2019 dated 18.06.2019.

For Petitioner : Mr. S.Balaji

For R2 : Mr.M.Karthikeya Venkita Chalapathy

For R1 & R3 : Mr.S.Saji Bino

Special Government Pleader



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ORDER

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The present Writ Petition has been filed for the issuance of a Writ of Certiorari, to quash the proceedings dated 19.01.2022 and direct the 3rd respondent to cancel the document no. 1587/2022 dated 30.03.2022 and restore the document No. 2482/2019 dated 18.06.2019

2. Through the impugned order the 1st respondent has unilaterally cancelled the settlement deed executed in favour of the petitioner. Aggrieved over the same the present writ petition is filed.

3. The 2nd respondent is mother of the petitioner, who had executed a gift deed dated 18.06.2019 in document No.2482/2019. The contention of the petitioner is that there is no recital in the gift deed for maintaining the 2nd respondent by the petitioner. Therefore, the 1st respondent cannot cancel the gift deed.

4. On perusal of the gift deed, there is no averments that the petitioner ought to take care of the 2nd respondent and in lieu of the same the settlement deed was executed.



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5. Accordingly, the impugned order passed by the 2nd respondent is liable to be set aside. However, the 2nd respondent is continuously staying in the said house even as per the statement of the petitioner. Therefore, the impugned order passed by the 1st respondent to the effect that the 2nd respondent and the father of the petitioner shall reside in the said house until their life time is confirmed. Therefore, the unilateral cancellation of the document no.1587/2022 dated 30.03.2022 is hereby cancelled. The settlement deed in the document No.2482/2019 dated 18.06.2019 is restored. As far as the monthly maintenance is concerned the petitioner is directed to pay Rs.10,000/-p.m., on or before 5th day of every English Calendar month without fail, to the father and mother until their life time.

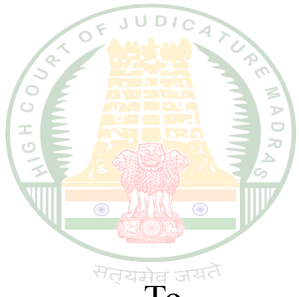
6. With the above observations, this Writ Petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

08.08.2025

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

ksa

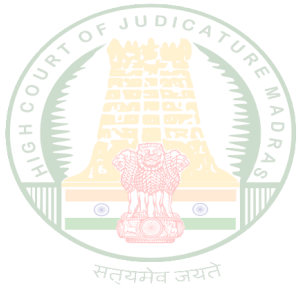
Note : Registry is directed to issue a copy of order on 06.10.2025



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To
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1. The Sub-Divisional Magistrate,
Cum Revenue Divisional Officer,
Paramakudi,
Ramnad District.
2. The Sub Registrar, Paramakudi,
Ramnad District.



WEB COPY



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S.SRIMATHY, J.

KSA

ORDER MADE IN
W.P(MD)No.14511 of 2024

DATED : 08.08.2025