



W.P.(MD)No.945 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.07.2026

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.945 of 2026

and

W.M.P.(MD)No.753 of 2026

Subbiah

... Petitioner

-VS-

1.The District Collector,
District Collectorate,
Madurai.

2.The Revenue Divisional Officer,
Tirumangalam Division,
Tirumangalam,
Madurai.

3.The Sub-Registrar,
Thiruparamkundram,
Madurai South District,
Madurai.

4.S.Mari Balaji Kumar

... Respondents



W.P.(MD)No.945 of 2026

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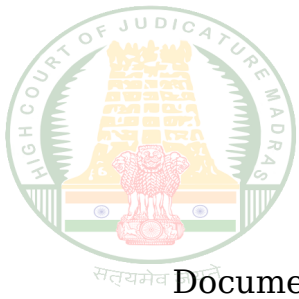
PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records in Mu.Mu.No.1837301/2024/C6 on the file of the first respondent, quash the same and consequently direct the third respondent to cancel the settlement deed registered as Document No.2359 of 2020 dated 31.08.2020 and Document No.3934 of 2021 dated 08.10.2021 and restore the property to the petitioner.

For Petitioner : Mr.K.Mondela Anand
For Respondents 1 to 3 : Mrs.K.R.Shivashankari
Additional Government Pleader
For Respondent No.4 : Mr.N.Tamilmani

ORDER

Challenging the proceedings of the first respondent in Mu.Mu.No. 1837301/2024/C6 dated 28.02.2025, the present Writ Petition has been filed.

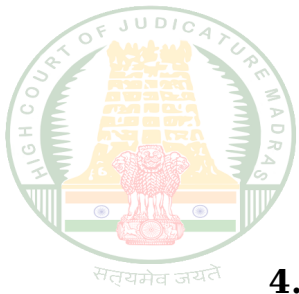
2.The case of the petitioner is that the petitioner is a senior citizen and the fourth respondent is the son of the petitioner and he has executed irrevocable settlement deeds in favour of the fourth respondent vide



W.P.(MD)No.945 of 2026

Document Nos.2359 of 2020 dated 31.08.2020 and Document No.3934 of 2021 dated 08.08.2021, believing that the fourth respondent will take care of the petitioner and his wife. However, since the fourth respondent failed to take care of the petitioner and his wife and harassed them, the petitioner initiated proceedings under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, before the second respondent seeking cancellation of the settlement deeds executed by the petitioner in favour of the fourth respondent. The second respondent in and by proceedings dated 22.01.2024, rejected the claim of the petitioner with regard to cancellation of settlement deed, however directed the fourth respondent to provide shelter for the petitioner and his wife and also pay a sum of Rs.15,000/- as rent for the shop run by the fourth respondent in the subject property.

3. Aggrieved over the order of the second respondent, the petitioner preferred an appeal before the first respondent. The first respondent, in and by proceedings dated 28.02.2025, permitted the petitioner and his wife to stay in the settled property till their life time and directed the fourth respondent not to disturb the petitioner and his wife's possession in the settled property till their life time, however, no maintenance has been granted.



W.P.(MD)No.945 of 2026

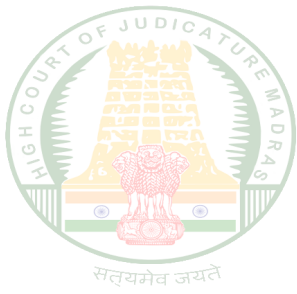
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4.Learned Counsel for the petitioner would submit that this Court may direct the fourth respondent to pay a sum of Rs.15,000/- as monthly maintenance as ordered by the second respondent, in addition to shelter. Accordingly, he prays for appropriate orders.

5.Learned counsel for the fourth respondent has no objection for providing shelter and the fourth respondent agreed to pay a sum of Rs. 10,000/- as maintenance. Accordingly, he prays for appropriate orders.

6.Heard the learned Counsel for the parties and perused the materials available on record.

7.Considering the facts and circumstances of the case and also considering the fact that already the second respondent passed an order directing the fourth respondent to pay a sum of Rs.15,000/- as maintenance and the same was not set aside, this Court is of the opinion that the maintenance amount of Rs.15,000/- as ordered by the second respondent is just and reasonable and hence, this Court is inclined to confirm the order of the second respondent with regard to maintenance and since the fourth respondent agreed to provide shelter, this Court is inclined to dispose of this Writ Petition.



W.P.(MD)No.945 of 2026

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8.Accordingly, this Writ Petition is disposed of with a direction to the fourth respondent to provide shelter to the petitioner and his wife in the settled property within a period of two [2] weeks, till their life time and pay the arrears of maintenance amount to the tune of Rs.10,000/- from the date of the second respondent's order to till date within a period of four [4] weeks from the date of receipt of a copy of this order and thereafter, continue to pay a sum of Rs.15,000/- as monthly maintenance on or before 7th day of every English Calender month. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

31.07.2026

NCC : Yes / No

Index : Yes / No

Internet: Yes / No

MR



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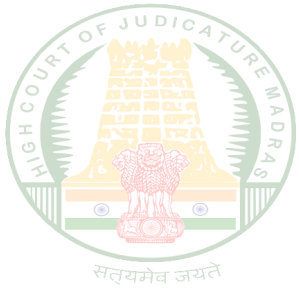
W.P.(MD)No.945 of 2026

To

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W.P.(MD)No.945 of 2026

M.DHANDAPANI, J.

MR

W.P.(MD)No.945 of 2026

31.07.2026