



W.P(MD)No.12805 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.07.2026

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P(MD)No.12805 of 2024
and
WMP (MD) No.11381 of 2024

S.Parimala

... Petitioner(s)

vs.

1. The District Collector,
Theni District,
Theni.

2. The Revenue Divisional Officer,
Redressal Tribunal For Maintenance
and Welfare of Parents and Senior Citizens,
Periyakulam Revenue Division,
Periyakulam,
Theni District.

3. Govindaraj R

... Respondent(s)

PRAYER : Writ Petition, filed under Article 226 of the Constitution of India,
praying this court to issue of Writ of Certiorari calling for the records relating to

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WEB COPY the impugned order made by the 1st respondent in his proceedings in Sae.Mu.Na.Ka.No.344/A1/2024 dated 30.04.2024 and quash the same as illegal.

For Petitioner	: Mr. S.Atham Ali
For R1 & R2	: Mr.R.Ramasamy, Counsel for State
For R3	: Mr.R.Karunanidhi

ORDER

Aggrieved by the order dated 30.04.2024 passed by the first respondent, whereby the petitioner was directed to pay a sum of Rs.5,000/- per month towards maintenance to the third respondent, the present Writ Petition has been filed challenging the said order.

2. The learned counsel appearing for the petitioner submitted that the petitioner is the daughter of the third respondent. The third respondent had initiated proceedings under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 before the second respondent, seeking maintenance from the petitioner. Upon considering the materials available on record, the second



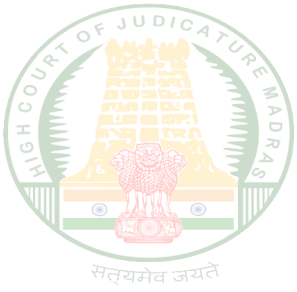
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respondent, by order, directed the petitioner to pay a sum of Rs.5,000/- per month towards maintenance to the third respondent. Aggrieved by the said order, the petitioner preferred an appeal before the first respondent. The first respondent, after considering the rival submissions, dismissed the appeal and confirmed the order passed by the second respondent. Challenging the said orders, the present Writ Petition has been filed.

3. The learned counsel appearing for the petitioner submitted that the petitioner is unemployed and is entirely dependent upon her husband for her livelihood. It was further submitted that the petitioner has to meet the marriage expenses of her daughter and is not in a financial position to pay a sum of Rs.5,000/- every month towards maintenance. Therefore, it was contended that the authorities below failed to consider the financial incapacity of the petitioner while fixing the maintenance amount. Accordingly, he prayed for interference with the impugned orders.

4. Per contra, the learned counsel appearing for the third respondent submitted that the third respondent was originally residing along with his wife in



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his own house at Kumbakonam. After the demise of his wife, the petitioner and her husband induced the third respondent to sell the said house on the representation that agricultural lands would be purchased for the benefit of the family. It was submitted that, out of the sale proceeds, agricultural lands measuring 4 acres and 28 cents were purchased by the petitioner's husband at E.Pudukkottai Village, wherein the third respondent has rendered his services for planting coconut saplings. Thereafter, another extent of 5 acres and 8 cents was also purchased in the name of the petitioner's husband. Subsequently, the petitioner's husband settled an extent of 1 acre and 23 cents in favour of the third respondent.

5. The learned counsel further submitted that, thereafter, the petitioner and her husband neglected and deserted the third respondent, compelling him to initiate proceedings seeking maintenance. It was also pointed out that, during the enquiry, the petitioner's husband had admitted the above facts, and based on the evidence available on record, the second respondent awarded maintenance of Rs.5,000/- per month in favour of the third respondent. The said order was rightly confirmed by the first respondent in appeal. Therefore, the



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impugned orders do not warrant any interference of this Court and the Writ Petition is liable to be dismissed.

6. This Court has carefully considered the rival submissions made on either side and perused the materials available on record.

7. The materials placed before this Court disclose that the third respondent had sold his residential property and at the instance of the petitioner and her husband, the sale proceeds were utilised for the purchase of agricultural lands. It is also evident that substantial properties were acquired in the name of the petitioner's husband and that a portion thereof was settled in favour of the third respondent. Thereafter, according to the third respondent, he was neglected by the petitioner and her husband, compelling him to invoke the provisions of the Act. The authorities below have concurrently accepted the said case on the basis of the evidence available on record. The contention of the petitioner that she is unemployed and dependent upon her husband cannot, by itself, be a ground to interfere with the impugned order. The obligation to maintain a parent under the provisions of the Maintenance and Welfare of Parents and Senior Citizens Act,



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8. In view of the above, this Court is not inclined to interfere with the order of the first respondent and accordingly, this writ petition stands dismissed. No costs. Consequently, the connected miscellaneous petition stands closed.

30.07.2026

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



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To

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M.DHANDAPANI,J.

PKN

**ORDER MADE IN
W.P(MD)No.12805 of 2024**

DATED : 30.07.2026