



W.P(MD)No.14650 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.07.2026

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P(MD)No.14650 of 2022

Pachakkal

... Petitioner(s)

vs.

1. The District Magistrate Cum
District Collector,
Thiruchirappalli District.

2. The District Revenue Officer,
Thiruchirappalli District.

3. The Sub - Divisional Executive
Magistrate Cum Revenue Divisional
Officer,
Srirengam,
Thiruchirappalli District.

4.S.Pachiyammal

... Respondent(s)

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 impugned order passed by the District Magistrate cum District Collector, Trichy the 1st respondent herein dated 27.04.2022 vide Na.Ka.G1/7863/2022 confirmed



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the order passed by the Sub Divisional Executive Engineer the 3rd respondent dated 17.02.2022 vide Na.Ka.A1/1031/2021 and quash the same is illegal and in violation of Section 2 (b) of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 and further more direct the Respondents 1 and 3 to provide residence to the petitioner as provided under Section 2 (b) of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007.

For Petitioner : Mr.R. Rajaraman

For R1 to R3 : Mr.M.Mahaboob Athiff, Counsel for State

For R3 : Mr.K.Appadurai

ORDER

Aggrieved by the order dated 27.04.2022 passed by the first respondent rejecting the petitioner's claim for maintenance, the petitioner has filed the present writ petition.

2. Learned counsel appearing for the petitioner would submit that the petitioner is the mother-in-law of the fourth respondent. It is submitted that, after the demise of the petitioner's son, the fourth respondent has taken possession and is enjoying the entire properties left by the deceased. However, despite enjoying the said properties, the fourth respondent has refused to maintain the petitioner or



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provide her with shelter. Therefore, the petitioner made an application before the competent authority under Section 4 read with Section 23 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, seeking maintenance and residential accommodation. The original authority, however, rejected the petition on the ground that the petitioner is receiving family pension and is also in receipt of her deceased husband's pensionary benefits. Aggrieved by the same, the petitioner preferred an appeal before the first respondent. The first respondent confirmed the order passed by the original authority. Challenging the concurrent orders, the present writ petition has been filed before this Court.

3. Learned counsel would submit that merely because the petitioner is receiving pension, she cannot be denied maintenance and shelter when the fourth respondent, being the daughter-in-law, is enjoying the entire estate of the petitioner's deceased son. The refusal to provide even residential accommodation in the house constructed by the petitioner's son is illegal and contrary to the object of the Act. Accordingly, he prayed for allowing the writ petition.



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4. Per contra, learned counsel appearing for the fourth respondent would submit that the petitioner is receiving a monthly pension. In addition, she is also receiving the family pension of her deceased husband, aggregating to about Rs.14,000/- per month. It is further submitted that the residential property in question was purchased by the petitioner's deceased son by availing a housing loan and after his demise, the fourth respondent alone discharged the entire loan liability. The petitioner did not contribute either towards repayment of the loan or towards maintenance of the family. Therefore, the fourth respondent cannot be compelled to maintain the petitioner or provide residential accommodation when the petitioner is financially independent and is receiving sufficient pensionary benefits. Accordingly, learned counsel prayed for dismissal of the writ petition.

5. Having considered the rival submissions, this Court finds no infirmity in the concurrent findings recorded by the authorities below. The petitioner is admittedly receiving pensionary benefits and no ground has been made out warranting interference under Article 226 of the Constitution of India.



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6. Accordingly, the writ petition stands dismissed. No costs.

09.07.2026

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

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M.DHANDAPANI,J.

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