

W.P.(MD)No.17015 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.07.2026

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.17015 of 2025

and

W.P.(MD)Nos.12919, 12920 & 12922 of 2025

1.P.Pitchai Palandar

2.Maruthambal

... Petitioners

-VS-

1.The District Collector,
Pudukkottai District,
Pudukkottai.

2.The Revenue Divisional Officer,
Illuppur Division,
Pudukkottai District.

3.P.Susila

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records of the second respondent in Pa.Mu.3212/2023/A4 dated 09.08.2023 and the first



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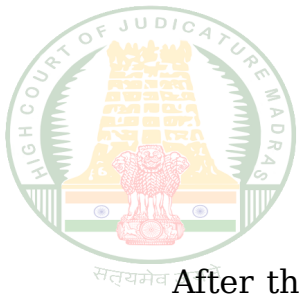
respondent in Na.Ka.C6/2335885/2024 dated 19.04.2025 and quash the same and consequently directing the third respondent to pay a sum of Rs.10,000/- per month to each of the petitioner as maintenance.

For Petitioner : Mr.K.Baalasundaram,
Senior Counsel
for M/s.KBS Law Office
For Respondents 1 & 2 : Mr.M.Mahaboob Athiff
Counsel for the State of Tamil Nadu
For Respondent No.3 : Mr.A.Banumathi

ORDER

Challenging the impugned proceedings of the first and second respondents in Na.Ka.C6/2335885/2024 dated 19.04.2025 and Pa.Mu. 3212/2023/A4 dated 09.08.2023, respectively, the present Writ Petition has been filed.

2.The case of the petitioners is that the third respondent is the petitioners' daughter-in-law and the petitioners' son is one Paulraj. The third respondent fraudulently obtained the signature of the first petitioner and is said to executed a settlement deed in favour of the third respondent's husband vide Document No.717 of 2022 dated 02.02.2022.

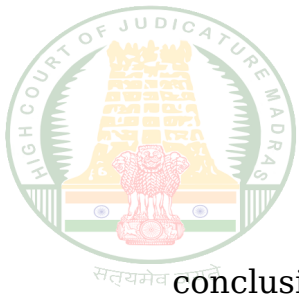


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After the demise of the petitioners' son Paulraj, since the third respondent failed to take care of the petitioners, the first petitioner initiated proceedings under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, before the second respondent. Pursuant thereto, the second respondent conducted enquiry and in and by proceedings dated 09.08.2023, dismissed the claim of the petitioner. Aggrieved by the same, the petitioner preferred an appeal before the first respondent. The first respondent by impugned proceedings dated 19.04.2025, confirmed the order of the second respondent. Aggrieved over the concurrent findings, the present Writ Petition has been filed.

3.Learned counsel for the petitioners would submit that admittedly, the settlement said to have been executed by the petitioners does not contain any condition. Even in the absence of any condition, the respondent authorities while dismissing the petitioners' petition could have ordered monthly maintenance as against the third respondent and also provided shelter. However, the same was not ordered by the respondents. Accordingly, he prays for appropriate orders.

4.Learned Government Counsel appearing for the official respondents would submit that the respondents 1 & 2 arrived at a



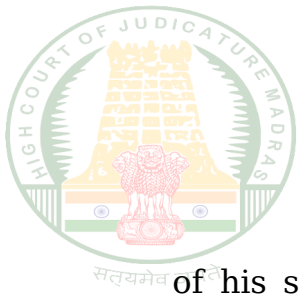
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conclusion that the first petitioner is receiving family pension and they are capable of maintaining themselves. Hence, the impugned orders came to be passed, which does not warrant interference by this Court.

5.Learned Counsel appearing for the third respondent would submit that the first petitioner is receiving monthly pension and suppressing the same, he made a complaint before the second respondent under the Act, however, the second respondent upon enquiry, rightly rejected the claim of the first petitioner. Thereafter, in the appeal preferred by the first petitioner, the first respondent vide the impugned order dated 19.04.2025, confirmed the same. Further, Section 4 of the Act contemplates that only a senior citizen including parent who is unable to maintain himself from his own earning or property owned by him, shall be entitled to make an application under section 5 of the Act. Whereas, the first petitioner is receiving family pension. Accordingly, prays for appropriate orders.

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

7.Admittedly, the third respondent is the daughter-in-law of the petitioners and the first petitioner has executed a settlement deed in favour



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of his son, while he was alive. It is submitted that the first petitioner is receiving pension and he is capable of maintaining himself and his wife. As rightly contended by the learned Counsel for the third respondent, Section 4 of the Act contemplates that only a senior citizen including parent who is unable to maintain himself from his own earning or property owned by him, shall be entitled to make an application under section 5 of the Act. Admittedly, the first petitioner is capable of maintaining himself and his wife and hence, the impugned orders of the first and second respondents do not warrant interference. Hence, this Court is not inclined to entertain this Writ Petition.

8.In view of the above, this Writ Petition stands dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

28.07.2026

NCC : Yes / No

Index : Yes / No

Internet: Yes / No

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M.DHANDAPANI, J.

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