



W.P(MD)No.18683 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.07.2026

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P(MD)No.18683 of 2022

and

W.M.P(MD)Nos.13586 & 13588 of 2022

1.Sankaralingam

2.Mariammal

... Petitioners

Vs

1.The District Collector,
Office of the District Collector,
Tirunelveli,
Tirunelveli District.

2.Durairaj

3.Nachiar

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorari, to call for the records relating to the impugned order passed by the first respondent in Mu.Mu.C4/U-12/1017/2021 dated 22.06.2022, quash the same.



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For Petitioner : Mr.S.Sathya Chidambaram

For Respondents : Mr.R.Ramasamy (R1)
Counsel for State

: Mr.M.Maran (R2 & R3)

ORDER

W.M.P(MD)No.13586 of 2022, filed seeking permission to file a single Writ Petition, is allowed.

2.This Writ Petition has been filed challenging the order dated 22.06.2022 passed by the first respondent.

3.The learned counsel appearing for the petitioners submitted that the respondents 2 and 3 are the father and mother of the first petitioner. They filed an application before the Revenue Divisional Officer on 23.08.2021 under Section 4 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, seeking maintenance from the first petitioner and his brother, Kannan. The second petitioner is the wife of the first petitioner.



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By order dated 29.10.2021, the second respondent directed the first petitioner and his brother to maintain their parents and further observed that any dispute relating to the rights over the property should be adjudicated before the competent Civil Court. Aggrieved by the failure of the second respondent to quantify the amount of maintenance, the respondents 2 and 3 preferred an appeal before the first respondent. The first respondent, by the impugned order, fixed a sum of Rs.3,000/- per month payable by the first petitioner and a further sum of Rs.3,000/- per month payable by his brother, aggregating to Rs.6,000/- per month towards the maintenance of the respondents 2 and 3. Challenging the said order, the present Writ Petition has been filed.

4.The learned counsel appearing for the petitioners contended that the legal heirs of the first petitioner's parents are available and that they have not been impleaded in the proceedings. According to the learned counsel, the liability to maintain the parents ought not to have been fastened only upon the first petitioner and his brother.



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5.Per contra, the learned counsel appearing for the respondents 2 and 3 submitted that the first petitioner and his brother have neglected and failed to maintain their aged parents, compelling them to invoke the provisions of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007. It is further submitted that the Appellate Authority, upon considering the materials available on record, rightly quantified the maintenance at Rs.3,000/- per month each from the first petitioner and his brother, and that the impugned order does not warrant interference by this Court.

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

7.The contention of the petitioners that the other legal heirs were not impleaded cannot be accepted. The liability to maintain parents under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 is a statutory obligation cast upon the children who have neglected or refused to



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maintain them. Merely because other legal heirs are available, the petitioners cannot avoid their statutory responsibility. The Appellate Authority has taken into consideration the facts and circumstances of the case and has quantified the maintenance at Rs.3,000/- per month each from the first petitioner and his brother. The amount so fixed cannot be said to be excessive or arbitrary warranting interference under Article 226 of the Constitution of India.

8.This Court does not find any illegality, infirmity, or perversity in the order passed by the first respondent. Accordingly, the Writ Petition is dismissed. There shall be no order as to costs. Consequently, connected W.M.P(MD)No.13588 of 2022 is closed.

10.07.2026

NCC : Yes / No

Index : Yes / No

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To

The District Collector,
Office of the District Collector,
Tirunelveli, Tirunelveli District.

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M.DHANDAPANI, J.

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