



W.P.(MD)No.23417 of 2022

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.07.2026

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.23417 of 2022

and

W.M.P.(MD)No.17500 of 2022

1.Sundaramoorthy

2.Kalavathi

... Petitioners

-VS-

1.The District Collector,
Virudhunagar District,
Virudhunagar.

2.The Sub-Divisional Executive Magistrate
and Revenue Divisional Officer,
Aruppukkottai,
Virudhunagar District.

3.Ashok Kumar

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to
issue a Writ of Certiorari, to call for the records of the second respondent



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in his proceedings in Mu.Mu.A5/8454/2021 dated 08.09.2022 and quash the same as illegal, arbitrary and in violation of principles of natural justice.

For Petitioner : Mr.M.Jothi Basu
For Respondents 1 & 2 : Mr.M.Mahaboob Athiff,
Counsel for the State of Tamil Nadu
For Respondent No.3 : Mr.H.Arumugam

ORDER

Challenging the proceedings of the second respondent in Mu.Mu.A5/8454/2021 dated 08.09.2022, the present Writ Petition has been filed.

2.The case of the petitioners is that the petitioners are husband and wife and out of love and affection, the petitioners executed an irrevocable settlement deed bearing Document No.1240 of 2010 dated 23.04.20102, in favour of the third respondent. Thereafter, since the third respondent refused to take care of the petitioners, the petitioners initiated proceedings under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, before the second respondent. Pursuant thereto, the second respondent in and by proceedings dated 08.09.2022, refused to cancel the settlement deed executed by the petitioners in favour of the third



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respondent, in turn, ordered for maintenance of a sum of Rs.8,000/- to be paid by the third respondent to the petitioners. Aggrieved over the same, the present Writ Petition has been filed.

3.Learned counsel for the petitioner would submit that though the petitioner has challenged the impugned order of the second respondent, the petitioner now submits that the maintenance amount of RS.8000/- is not sufficient to maintain the first petitioner himself and his wife / second petitioner and prays for enhancement of the maintenance amount. He further submitted that the maintenance amount of Rs.8,000/- as ordered by the second respondent has not been paid by the third respondent.

4.Learned State Counsel appearing for the official respondents would submit that since the settlement deed is an irrevocable settlement deed, the same cannot be cancelled by the second respondent and hence, the second respondent has ordered maintenance, which is perfectly in order and need not be interfered with.

5.Heard the learned Counsel for the parties.



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6. Though the impugned order of the second respondent has been challenged before this Court, since the petitioner prays this Court for enhancement of the maintenance amount granted by the second respondent, this Court considering the age of the petitioners, is inclined to enhance the maintenance amount to a sum of Rs.10,000/-. The third respondent is directed to pay the arrears of Rs.8,000/- maintenance amount as ordered by the second respondent as on date to the petitioners, within a period of four [4] weeks from the date of receipt of a copy of this order and further, continue to pay a sum of Rs.10,000/- as maintenance to the petitioners on or before the 7th day of every English Calender Month, without any default

7. Accordingly, this Writ Petition stands dismissed. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

13.07.2026

NCC : Yes / No

Index : Yes / No

Internet: Yes / No

MR



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To

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M.DHANDAPANI, J.

MR

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