

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 22ND DAY OF DECEMBER 2015/1ST POUSHA, 1937

WP(C).No. 39006 of 2015 (A)

PETITIONERS:

1. BABU C.S. AGED 52 YEARS
S/O. LATE STANLEY, CHUNGATH HOUSE, MILK SOCIETY ROAD
KANIPAYYOR VILLAGE, KUNNAMKULAM, THRISSUR-680517.
2. JOSEPH
S/O. LATE STANLEY, CHUNGATH HOUSE
OPP. AMMA SUPER MARKET, NELLANKARA, THRISSUR-680005.
3. SHAJU
S/O. LATE STANLEY, CHUNGATH HOUSE, KADAVIL ROAD
KUTTUMUKKU, VILVATTOM VILLAGE, THRISSUR-680637.

BY ADVS.SRI.S.SANTHOSH KUMAR
SMT.P.LISSY JOSE.

RESPONDENTS:

1. MAINTENANCE TRIBUNAL AND REVENUE DIVISIONAL OFFICER
CIVIL STATION, THRISSUR-680003.
2. GRACY
W/O. STANLEY, CHUNGATH HOUSE, KOTTAPADY P.O.
CHAVAKKAD TALUK, THRISSUR, PIN-680505.

BY GOVERNMENT PLEADER SRI.BIJU MEENATTOOR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
22-12-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 39006 of 2015 (A)

APPENDIX

PETITIONER(S) ' EXHIBITS

EXHIBIT P1- TRUE COPY OF ORDER NO. C2-18401/2014 DATED 07-08-2015
ISSUED BY THE 1ST RESPONDENT.

EXHIBIT P2- TRUE COPY OF THE ORDER NO. C2-18401/2014 DATED 09-09-2015
ISSUED BY THE 1ST RESPONDENT.

EXHIBIT P3- TRUE COPY OF THE OBJECTION DATED 08-09-2015 FILED BY THE
PETITIONERS BEFORE THE 1ST RESPONDENT.

EXHIBIT P4- TRUE COPY OF THE APPLICATION DATED 01-08-2014 FILED BY
THE 2ND RESPONDENT BEFORE THE 1ST RESPONDENT.

EXHIBIT P5- TRUE COPY OF TAX RECEIPT DATED 09-4-2015 ISSUED FROM
IRINGAPURAM (IPM) VILLAGE OFFICE.

RESPONDENTS' EXHIBITS : NIL

//TRUE COPY//

P.A.TO JUDGE

sm

A. MUHAMED MUSTAQUE, J.

W.P.(C).No. 39006 of 2015

Dated this the 22nd day of December, 2015

JUDGMENT

The petitioners challenge an interim order passed by the first respondent–Maintenance Tribunal and Revenue Divisional Officer under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007. The petitioners submit that they have been singled out for a direction for awarding maintenance, in spite of the fact that other siblings of the petitioners are capable to maintain the mother–second respondent.

2. This Court is of the view that the Maintenance Tribunal shall also implead the other siblings of the petitioners while proceedings further. If it is found that all are liable, shall direct all the children of the second respondent to pay the maintenance. The arrears if any,

payable as maintenance is permitted to be discharged in four equal monthly instalments starting from 06/01/2016. The proceedings shall be concluded within a period of three months.

The writ petition is disposed of as above.

Sd/-

**A. MUHAMED MUSTAQUE
JUDGE**

bpr