



W.P(MD)No.27814 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.12.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.27814 of 2022

and

W.M.P(MD)No.21912 of 2022

Kumar

... Petitioner

Vs

- 1.The District Collector,
Office of the District Collector,
Thoothukudi District,
Thoothukudi.
- 2.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Thiruchendur,
Thoothukudi District.
- 3.The Village Administrative Officer,
Office of the Village Administrative Officer,
Valavallan,
Eral Taluk,
Thoothukudi District.

4.Pillayar Nadar

... Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, to call for the records pertaining to the impugned order passed by the first respondent in his proceedings in Na.Ka.C1/38032/2021 dated 19.07.2022 and quash the same.

For Petitioner : Mr.S.Vikram

For Respondents : Mr.M.Siddharthan
Additional Government Pleader
for R.1 to R.3

ORDER

Heard the learned counsel appearing for the writ petitioner and the learned Additional Government Pleader appearing for the respondents 1 to 3.

2. The petitioner's father – Pillayar Nadar sought relief under the provisions of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007. The fourth respondent herein moved the Maintenance Tribunal vide order dated 18.11.2021 and the Maintenance Tribunal directed the sons to maintain their father. Aggrieved by the same, father filed an appeal before the District Collector, Thoothukudi District. Vide order dated 19.07.2022 the District Collector, Thoothukudi District directed each of the sons to pay a sum of Rs.2,000/- (Rupees Two Thousand only) to the father.



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3. The learned counsel appearing for the writ petitioner reiterated all the contentions set out in the affidavit filed in support of the writ petition and called upon this Court to set aside the impugned order.

4. The learned Additional Government Pleader pointed out that the petitioner is working as Police Constable. Therefore, directing such a person to pay a sum of Rs.2,000/- (Rupees Two Thousand only) per month can by no stretch of imagination be called as unreasonable. The appellate authority had recorded his finding that the senior citizen is entitled to maintenance from his sons. This being a finding of fact does not call for any interference in exercise of writ jurisdiction. For a Police Constable paying a sum of Rs.2,000/- (Rupees Two Thousand only) a month to his own father cannot be said to be burdensome at all. I do not find any ground to interfere. This writ petition is dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

09.12.2022

Index : Yes / No

Internet : Yes/ No

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To

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



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2.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
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Thoothukudi District.

3.The Village Administrative Officer,
Office of the Village Administrative Officer,
Valavallan,
Eral Taluk,
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