



W.P.No.25236 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.08.2023

CORAM

MR.JUSTICE N.SESHASAYEE

W.P.No.25236 of 2023
and W.M.P.Nos.24642 and 24643 of 2023

Raja

... Petitioner

Vs.

1.The District Collector,
Perambalur District,
Perambalur.

2.Special Case Tribunal/Sub Collector,
Perambalur.

3.Mahadevan

... Respondents

PRAYER: The writ petition filed under Article 226 of the Constitution of India, for issuance of a writ of Certiorari, to call for the records relating to the order passed by the first respondent dated 16.08.2022 made in Na.Ka.No.D1/7364/2021 in confirming the order passed by the second respondent dated 11.05.2021 made in Mu.Mu.No.A6/3038/2020 and to quash the same.



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For Petitioner : Mr.C.Prabakaran

For Respondents : Mr.M.Bindran
Additional Government Pleader
for R1 and R2

ORDER

By consent, this writ petition is taken up for final disposal at the admission stage itself.

2.The third respondent herein is the father of the petitioner, and he had moved the second respondent for some relief under the Maintenance and Welfare of Parents and Senior Citizens Act, 5007. The second respondent held an enquiry and passed the proceedings dated 11.05.2021. During the course of the enquiry, the petitioner had filed his statement before the second respondent, wherein he had stated that he would pay his father, the third respondent herein, a sum of Rs.6,000/- per month for his maintenance. This statement was recorded and the petition was ordered accordingly. This was challenged by the petitioner before the District Collector, the first respondent herein. The District Collector vide his proceedings dated 16.08.2022 had confirmed it. This is now under challenge.



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3.This Court has to record two aspects: (a) An appeal to the District Collector is incompetent since it is available only to the senior citizens and not to the one against whom maintenance or any order is passed; and (b) The order was passed by the second respondent exactly along the lines the petitioner had intended.

4.This Court hardly finds a reason as to why the petitioner should feel aggrieved to file this petition.

5.Mr.C.Prabakaran, the learned counsel for the petitioner submitted that notwithstanding the payment of Rs.6,000/- per month as maintenance, the petitioner's father giving him pinpricks.

6.These are matters which has to be resolved in different forum and not before this Court by way of a Writ Petition.

N.SESHASAYEE, J.



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Anu

7.The writ petition stands dismissed accordingly. No costs. Consequently, the connected miscellaneous petitions are closed.

28.08.2023

Anu

To.

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