



1

W.P.(MD)NO.20522 OF 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 16.11.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.20522 of 2023 AND
W.M.P.(MD)Nos.16965 & 16966 of 2023

R.Meena

... Petitioner

Vs.

1. The Presiding Officer,
Senior Citizens Maintenance and Welfare Tribunal/
Revenue Divisional Officer,
District Collectorate, Madurai.

2. The Inspector of Police,
Tallakulam police station,
Madurai.

3. Pappa

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, to call for the records pertaining to the impugned order in Moo.Mu. No.1534/2023 dated 11.07.2023 on the file of the first respondent and quash the same as illegal.

For Petitioner : Ms.J.R.Annie Abinaya

For R-1 : Mr.C.Satheesh,
Government Advocate.

For R-2 : Mr.A.Albert James,
Government Advocate.

For R-3 : Mr.J.Gunaseelan Muthiah

* * *



WEB COPY



ORDER

Heard both sides.

2. The petitioner is the daughter-in-law of the third respondent herein. The petitioner's husband had passed away. During his life time, the third respondent had executed a settlement in his favour. The third respondent filed a petition before the first respondent. The first respondent had passed an order dated 11.07.2023 issuing certain directions against the petitioner herein. Questioning the same, the present writ petition came to be filed.

3. The learned counsel appearing for the petitioner points out that the petition filed by the third respondent as against the petitioner is not maintainable. She points out that the writ petitioner had stated that the parent document in respect of the property is not with her. The Tribunal could not have issued direction for handing it over.

4. I find substance in this contention. More than



anything else, the petition cannot be considered as “relative” within the statutory definition of the term. The proceedings initiated by the third respondent against the petitioner before the Maintenance Tribunal is not maintainable. The impugned proceeding are set aside. This writ petition stands allowed. No costs. Consequently, connected miscellaneous petitions are closed.

16.11.2023

NCS : Yes / No
Index : Yes / No
Internet : Yes/ No

PMU

To:

1. The Presiding Officer,
Senior Citizens Maintenance and Welfare Tribunal/
Revenue Divisional Officer,
District Collectorate, Madurai.
2. The Inspector of Police,
Tallakulam police station,
Madurai.



WEB COPY



4

W.P.(MD)NO.20522 OF 2023

G.R.SWAMINATHAN,J.

PMU

W.P.(MD)No.20522 of 2023

16.11.2023