



W.P.No.22055 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.09.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.22055 of 2024

and

W.M.P.No.24033 of 2024

Sornam

...Petitioner

-Vs-

1.The District Collector,
Erode Collectorate,
Erode.

2.The Revenue Divisional Officer-cum-
Sub-Divisional Magistrate, Erode.

3.Rajkumar

4.Sankar

5.Mohan

...Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus to call for the records relating to the impugned order passed by the 1st respondent dated 07.07.2022 in Moo.Mu.No.15304/2022/C4 and to quash the same, consequently direct the respondent 2nd respondent to enhance the maintenance amount of Rs.25,000 per month each to be paid by the respondent 3 to 5.



WEB COPY



W.P.No.22055 of 2024

For Petitioner	: Mr.C.Prabakaran
For R1 & R2	: Mr.M.S.Arasa Kumar Government Advocate.
For R3 & R4	: Service awaited
For R5	: Mr.M.Siva Kumar

ORDER

This Writ Petition has been filed challenging the order passed by the first respondent dated 07.07.2022, thereby confirming the order passed by the second respondent and ordered maintenance of Rs.4,000/- each payable by the respondents 3 to 5 in favour of the petitioner as monthly maintenance.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents 1 & 2 and perused the materials available on record.

3. The petitioner is the mother and the respondents 3 to 5 are the sons. After demise of the petitioner's husband, the respondents 3 to 5 neglected her and failed to maintain her. Therefore, the petitioner sought for maintenance under Section 5 of the Maintenance and Welfare of Parents and Senior Citizen Act, 2007 before the second respondent. After due enquiry, the second respondent ordered maintenance of



W.P.No.22055 of 2024

Rs.4,000/- each payable by the respondents 3 to 5 to the petitioner every month. Aggrieved by the same, the petitioner preferred an appeal before the first respondent and the same was rejected and confirmed the order passed by the second respondent. The petitioner is diabetic patient and her medical expenses comes around more than Rs.15,000/-. Further, the respondents 3 to 5 are earning huge amount and as such, the maintenance has to be enhanced. It was not considered so far. Hence, this writ petition.

4. The petitioner filed an application under Section 5 of the the Maintenance and Welfare of Parents and Senior Citizen Act, 2007 before the second respondent. Considering the evidence, the second respondent rightly ordered maintenance of Rs.4,000/- each payable by the respondents 3 to 5 to the petitioner herein. If at all, the petitioner is having any other claims under the medical expenses and other expenses, the petitioner is at liberty to approach the concerned Court for seeking maintenance in accordance with law.

5. Therefore, this Court finds no infirmity or illegality in the order passed by the second respondent. Thus, the writ petition is devoid



W.P.No.22055 of 2024

of merits and it is liable to be dismissed. Accordingly, this Writ Petition stands dismissed. Consequently, connected miscellaneous petition is closed. No costs.

04.09.2024

Internet: Yes
Index : Yes/No
Speaking/Non Speaking order
Lpp

To

- 1.The District Collector,
Erode Collectorate,
Erode.
- 2.The Revenue Divisional Officer-cum-
Sub-Divisional Magistrate,
Erode.

G.K.ILANTHIRAIYAN. J.

Lpp



WEB COPY



W.P.No.22055 of 2024

W.P.No.22055 of 2024
and
W.M.P.No.24033 of 2024

04.09.2024