



W.P(MD)No.8803 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.03.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.8803 of 2022

and

W.M.P.(MD)No.6413 of 2022

1.K.Perumal

2.K.Ganesan

... Petitioners

Vs.

1.The Maintenance and Welfare of Parent and
Senior Citizens Appellate Tribunal Officer
Cum the District Collector,
Virudhunagr, Virudhunagar District.

2.The Maintenance and Welfare of Parent and
Senior Citizens Welfare Officer
Cum the Sub-Collector,
Sivakasi, Virudhunagar District.

3.G.Karuppaiya Thevar

4.K.Angammal

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, calling for the records pertaining to order passed by 2nd respondent in Mu.Mu.A2/42/2020 dated 14.10.2020 and the consequential appeal order passed by the 1st respondent in Na.Ka.C4/24166/2020 dated 11.03.2022 as illegal and quash the same.



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For Petitioners : Mr.J.Senthil Kumariah

For Respondents : Mr.A.Kannan,
Addl. Government Pleader for R1 & R2.
Mr.T.Antony Arul Raj for R3 & R4.

ORDER

Heard both sides.

2.The petitioners are the sons of the respondents 3 and 4. The third respondent has passed away during the pendency of the writ petition. A substantial extent of property has been settled in favour of the petitioners. Of course, the settlement deed does not contain any condition as contemplated under Section 23 of the Maintenance and Welfare of Parent and Senior Citizens Act, 2007. On this solid ground, the impugned order is set aside. The first petitioner is said to be an TENB employee. Considering the extent of land settled in favour of the petitioners, each of the petitioner are directed to pay a sum of Rs.7,500/- per month to the fourth respondent. This liability will commence from the date of filing of the writ petition.



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3.This writ petition is allowed on these terms. No costs. Consequently, connected miscellaneous petition is closed.

26.03.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
ias

To:-

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Cum the District Collector,
Virudhunagr, Virudhunagar District.
- 2.The Maintenance and Welfare of Parent and Senior Citizens Welfare Officer
Cum the Sub-Collector,
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G.R.SWAMINATHAN, J.

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