



WEB COPY



W.P. No.17280 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:01.06.2026

CORAM:

THE HON'BLE MR. JUSTICE M. DHANDAPANI

W.P. No.17280 of 2026
and
W.M.P. No.18566 of 2026

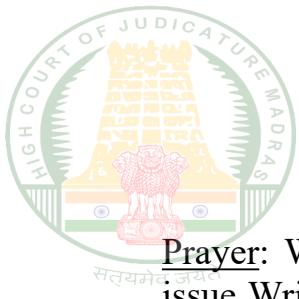
1. M.Velu
2. M. Loganathan, @ Amar

..Petitioner(s)

Vs

1. The District Collector
Thiruvallur District,
Thiruvallur.-602 001
2. The Revenue Divisional Officer
Ponneri Revenue Division,
Ponneri -601 204
Thiruvallur District,
3. Shanthaammal
4. Karpagam,
5. J. Gobinath

..Respondent(s)



W.P. No.17280 of 2026

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue Writ of Certiorarified Mandamus calling for the records in respect of the impugned order of the 1st respondent, by proceedings, Na.Ka.No.3778516/2025/M4 dated 25.10.2025 and also the order of 2nd Respondent in his proceeding COLREV-COLR/55026/2024/Aa1 Dated 31.07.2025 and quash the same as arbitrary and unjustifiable and consequently direct the respondents 1 and 2 to conduct an enquiry with the 4th Respondent regarding the assets and income derive from them of the 3rd Respondent

For Petitioners : Mr.R. Munuswamy

For Respondents : Mr.C. Prabakaran

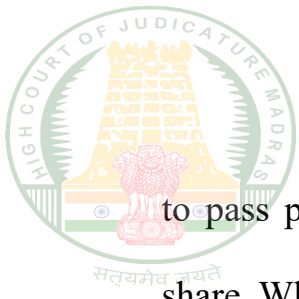
Government Counsel for R1 & R2

ORDER

The petitioners, who are brothers, have filed the present writ petition challenging the order dated 31.07.2025 passed by the 2nd respondent under the provisions of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, as confirmed by the 1st respondent in appeal by order dated 25.10.2025.

2. It is submitted that the petitioners are the sons of the 3rd respondent. The 4th respondent is the daughter of the 3rd respondent and the 5th respondent is the brother of the 3rd respondent. Further, the 4th respondent is the wife of the 5th respondent. While so, disputes had arisen among the family members with regard to various immovable properties and a partition suit in O.S.No.260 of 2020 is pending before the IV Additional District Court, Thiruvallur at Ponneri.

3. On the other hand, respondents 3 and 4 have filed suit viz., O.S. No.691 of 2025 before the learned Principal District Judge, Tiruvallur, praying



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to pass preliminary decree of partition, in which they are entitled to acquire share. When such being the position, the 3rd respondent had lodged a complaint

before the 2nd respondent seeking maintenance and also seeking protection against alleged interference by the petitioners in respect of her properties. The 2nd respondent, by order dated 31.07.2025, directed the petitioners to permit the 3rd respondent to enjoy the property in question and further directed payment of a sum of Rs.5,000/- per month towards maintenance. Aggrieved by the order of the 2nd respondent dated 31.07.2025, the petitioners preferred an appeal before the 1st respondent and the said appeal was dismissed, thus the order of the 2nd respondent has been confirmed, vide order dated 25.10.2025 Challenging the aforesaid orders issued by the 2nd and 1st respondents dated 31.07.2025 and 25.10.2025, this writ petition has been filed.

4. Learned counsel for the petitioners submitted that the respondents 1 and 2 have failed to consider the pendency of civil suit for partition before the Civil Court, the respondents without considering the said aspects have passed the impugned orders, which are contrary and illegal. Hence, he submitted that without prejudice to their rights in the pending civil proceedings, the petitioners may be permitted to canvass all their contentions before the Civil Court and the impugned orders issued by the 1st and 2nd respondents may be quashed.



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5. Learned counsel further submitted that the 1st petitioner is suffering from serious ailments and he is a chronic patient. On instructions, he submitted that on behalf of the 1st petitioner, the 2nd petitioner undertakes to pay the entire maintenance amount of Rs.5,000/- per month to the 3rd respondent regularly. Therefore, he prayed for issuance of appropriate directions by this Court in the above regard.

6. Per contra, the learned Government Counsel appearing for the official respondents submitted that the complaint was preferred by the mother, namely the 3rd respondent, seeking maintenance under the provisions of the Act. The authorities, upon consideration of the materials placed before them, had granted appropriate reliefs in favour of the 3rd respondent and the same were confirmed by the appellate authority viz., the 1st respondent. He also submitted that the 3rd respondent had, out of love and affection, donated one of her kidneys to the 1st petitioner however, without any consideration, the 1st petitioner had failed to maintain his mother. Therefore, the order directing payment of maintenance cannot be faulted. However, in view of the undertaking now given before this Court with regard to maintenance, he prayed for issuance of suitable directions in the said aspect.



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7. Heard the learned counsel appearing for the petitioners and the learned Government Counsel appearing for the official respondents. This Court has also perused the materials available on record.

8. It is not in dispute that the proceedings before the authorities arose out of a complaint preferred by the 3rd respondent, who is the mother of the petitioners, seeking maintenance under the provisions of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007. It is also not in dispute that civil suits relating to the properties claimed by the parties are pending before the respective Civil Courts. In view of the pendency of the civil proceedings, this Court is of the opinion that the rights of the parties with regard to title and , possession shall be decided independently by the competent Civil Court on the basis of the evidence that may be adduced by the parties. Therefore, granting liberty to the petitioners to raise all factual and legal contentions available to them before the Civil Court and the same shall be considered on their own merits, uninfluenced by any observations contained in the orders passed by the respondents 1 and 2.

9. Insofar as the maintenance amount is concerned, the learned counsel for the petitioners submitted that the 1st petitioner is suffering from chronic



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ailments and is undergoing dialysis periodically. As undertaken by the petitioners with regard to payment of maintenance, an amount of Rs.5,000/- p.m. shall be paid regularly to the 3rd respondent by the 2nd petitioner. The submission to that effect made by the learned counsel for petitioners is recorded. In view of the above, this Court directs the 2nd petitioner to pay the entire maintenance amount of Rs.5,000/- per month to the 3rd respondent on behalf of both the petitioners. Recording the said undertaking, this Court permits the 2nd petitioner to remit the maintenance amount regularly to the 3rd respondent.

10. With the above observations and directions, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

01.06.2026

Index : Yes / No

Speaking Order / Non-speaking order

Neutral Citation Case : Yes / No

vsi2

To :

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Thiruvallur District,
Thiruvallur.-602 001

2. The Revenue Divisional Officer
Ponneri Revenue Division,
Ponneri -601 204
Thiruvallur District.



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M. DHANDAPANI, J.

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