



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.02.2026

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.36444 of 2025

and

W.M.P(MD)No.29014 of 2025

1. Chandravathi

2. Gokila

...Petitioners

Vs

1. The Sub Collector,
Sub-Collector Office,
Kovilpatti
Tuticorin District

2. K.Rajaram

3. State Represented Through by
The Inspector of Police,
West Police Station,
Kovilpatti,
Tuticorin District.

...Respondents

PRAYER: Writ Miscellaneous Petition is filed under Article 226 of the Constitution of India, pleaded to stay all the further proceedings of the impugned proceedings of the 1st respondent in Na.Ka.Em.R/8083/2025 dated 10.10.2025 and quash the same as illegal and consequently direct the 2nd respondent to consider the 1st petitioner representation sent to the 3rd



respondent and initiate legal action against the 2nd respondent.

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For Petitioners : M/s.C.M.Arumugam

For Respondents : Mr.M.Senthil Ayyanar
Government Advocate for R1
M/s.M.Aasha
Government Advocate(crl.side) for R3
Mr.S.Ramasamy for R2

ORDER

The present writ petition has been filed challenging the showcase notice issued by the first respondent under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, on the basis of the application filed by the second respondent.

2. A perusal of the records reveal that the second respondent is said to have settled his property in favour of the first petitioner(wife) in the year 2012, who in turn, has settled the same in favour of the second petitioner(daughter) in the year 2019.

3. According to the learned Counsel appearing for the writ petitioner, the second respondent is a Central Government pensioner, drawing a pension of Rs.90,000/- per year and therefore, the present application seeking for



cancellation of settlement deed or for recovering a sum of Rs.40,00,000/- or seeking maintenance at the rate of Rs.10,000/- per month is clearly with malafide intention and it is abuse of process of law and therefore, he seeks to quash the show cause notice.

4. Per contra, the learned Counsel appearing for the second respondent submits that the entire pension amount received by them is used only to pay the EMI for the housing loan. However, the house property has been taken over by the wife and later it was settled in favour of the daughter and he has been driven out of the home.

5. It is settled position of law that there is very limited scope for this Court to interfere under Article 226 whenever a challenge is made to show cause notice. Unless it is pointed out that the authority issuing show cause notice, is not having any jurisdiction or malafide intention to the showcase notice, this Court cannot interfere.

6. In the present case, based upon the complaint lodged by the second respondent under the Central Act 56 of 2007, the first respondent has issued the show cause notice. Therefore, the first respondent cannot be considered to have



issued the show cause notice with malafide intention. That apart, the jurisdiction of the first respondent is also not in question. In such circumstances, this Court is not inclined to interfere in the show cause notice.

7. In view of the above said facts, this writ petition stands disposed of with a direction to the first respondent to dispose of the application of the second respondent within a period of 6(six) weeks after giving due opportunity to the writ petitioner and pass orders on merits and in accordance with law. No costs. Consequently, connected miscellaneous petition is also closed.

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NCC : Yes/No
Index : Yes/No
Internet: Yes/No
RJR



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To

1.The Sub Collector,
Sub-Collector Office,
Kovilpatti
Tuticorin District

2.The Inspector of Police,
West Police Station,
Kovilpatti,
Tuticorin District.



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R.VIJAYAKUMAR, J.

RJR

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