



W.P(MD)No.17115 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.08.2026

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P(MD)No.17115 of 2025

and

W.M.P(MD)Nos.12977 & 12979 of 2025

1.Pradip C.Nair
2.M.G.Rajani

... Petitioners

Vs

1.The District Collector,
Kanniyakumari District,
Collectorate, Nagercoil,
Kanniyakumari – 629 001.

2.Shantakumari

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorari calling for the records pertaining to the order dated 17.04.2025 passed in Muu.Mu.Si3/2869285/2025 by the first respondent, quash the same as illegal, arbitrary and without any legal basis.



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For Petitioners : Mr.V.Ashvath Neelakandan

For Respondents : Mrs.K.R.Shivashankari (R1)
Additional Government Pleader

: Mr.B.Brijesh Kishore (R2)

ORDER

W.M.P(MD)No.12977 of 2025 filed seeking permission to file a single Writ Petition is ordered.

2.This Writ Petition has been filed seeking the issuance of a Writ of Certiorari to call for the records pertaining to the order dated 17.04.2025 passed by the first respondent and to quash the same as being illegal, arbitrary and without any legal basis.

3.The learned counsel appearing for the petitioners submitted that the second respondent is the daughter of the maternal aunt of the second petitioner. The second respondent, along with her mother and maternal uncle, executed a settlement deed in favour of the petitioners. Subsequently,



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the second respondent lodged a complaint before the Revenue Divisional Officer seeking cancellation of the said settlement deed. The Revenue Divisional Officer refused to cancel the settlement deed. Aggrieved by the same, the second respondent preferred an appeal before the first respondent. The first respondent, by the impugned order dated 17.04.2025, declined to cancel the settlement deed, but directed the petitioners to pay a sum of Rs.6,000/- per month towards maintenance to the second respondent. Challenging the said order, the present Writ Petition has been filed.

4.The learned counsel appearing for the petitioners submitted that the complaint preferred by the second respondent before the Revenue Divisional Officer and the appeal before the first respondent are not maintainable. According to him, the second respondent does not fall within the ambit of the provisions of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, as she was only 57 years of age at the relevant point of time and is neither a parent of the petitioners nor a senior citizen. Therefore, the very entertainment of the complaint by the official



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respondents is without jurisdiction. Hence, he prayed for allowing the Writ Petition.

5.The learned counsel appearing for the second respondent fairly submitted that liberty may be granted to the second respondent to initiate fresh proceedings after attaining the age of 60 years, since she had executed a valuable property in favour of the petitioners. He therefore prayed for appropriate orders.

6.This Court has considered the submissions made on either side and perused the materials available on record.

7.Admittedly, on the date of filing of the complaint, the second respondent had not attained the age of 60 years and, therefore, she did not answer the definition of a "senior citizen" under the provisions of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007. She is also not the parent of the petitioners. In such circumstances, the complaint



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8. Accordingly, this Writ Petition is allowed and the impugned order dated 17.04.2025 passed by the first respondent is set aside. However, liberty is granted to the second respondent to work out her remedy by making a fresh complaint before the competent authority, if so advised, after attaining the age of 60 years and if she is otherwise eligible in law. There shall be no order as to costs. Consequently, connected W.M.P(MD)No.12979 of 2025 is closed.

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NCC : Yes / No
Index : Yes / No
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To

The District Collector,
Kanniyakumari District,
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M.DHANDAPANI, J.

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