



WP NO. 36457 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-09-2025

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

WP NO. 36457 of 2025

AND

WMP NO. 40744 OF 2025

N.Balasaravanan

Petitioner(s)

Vs

The Revenue Divisional Officer
Coimbatore South / Presiding Officer, The Parents And Senior
Citizens Welfare And Maintenance Tribunal, Coimbatore- 641
018. and another

Respondent(s)

For Petitioner(s): Mr.P.K.Rajagopal

For Respondent(s): Mr.R.U.Dinesh Raj, AGP, for R1

ORDER

Learned counsel for the petitioner submits that the 2nd respondent is none other than the father of the petitioner and the property which is sought to be transferred in favour of the 2nd respondent originally belonged to the petitioner's mother and the same was later settled in favour of the petitioner, vide registered sale deed dated 29.01.2007 bearing Doc.No.753 of 2007, which is prior to the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, coming into force. Thereby, the petition filed by the 2nd respondent under Section 23 of the said Act before the 1st respondent itself is not maintainable and therefore, the present impugned enquiry proceedings initiated by the 1st respondent without any jurisdiction cannot be sustained. Hence, the petitioner has come up with this Writ petition.



2. Learned counsel for the petitioner further submits that the petitioner has taking care of his father and he has been regularly paying a sum of Rs.20,000/- per month towards maintenance in favour of the 2nd respondent and he is willing to pay even a sum of Rs.25,000/- per month towards maintenance.

3. Per contra, Mr.R.U.Dinesh Raj, learned Additional Government Pleader, who accepts notice for the 1st respondent submits that, the impugned order is a mere show cause notice and instead of attending the enquiry, the petitioner has come with this Writ petition challenging the said show cause notice at a premature stage.

4. In view of the fair submission made by the learned counsel for the petitioner, there shall be an order of interim stay of further proceedings of the impugned order, on condition that, the petitioner shall pay a sum of Rs.25,000/- per month towards maintenance in favour of the 2nd respondent on or before the 5th day of every English calendar month commencing from 05.10.2025, until further orders, failing compliance of which, the interim stay granted by this Court today will automatically stand vacated on the next date of hearing.

5. Notice to the 2nd respondent returnable by four (4) weeks. Private notice is also permitted.

6. For filing counter, post the matter after four (4) weeks.

25-09-2025

To

1. The Revenue Divisional Officer
Coimbatore South / Presiding Officer, The Parents And Senior
Citizens Welfare And Maintenance Tribunal, Coimbatore- 641 018.

SKT