



W.P(MD)No.3776 of 2026

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.08.2026

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P(MD)No.3776 of 2026

and

WMP (MD) Nos.3078 and 3080 of 2026

S.H.Premkumar

... Petitioner(s)

VS.

1. The District Collector,
Ramanathapuram District,
Ramanathapuram.

2. The Sub Collector,
Somanathapuram Road,
Paramakudi,
Ramanathapuram District.

3. The Revenue Divisional Officer,
Paramakudi,
Ramanathapuram District.

4. The Tahsildar,
Paramakudi Taluk,
Ramanathapuram District.

5. The Inspector of Police,

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Paramakudi Town Police Station,
Paramakudi Town,
Ramanathapuram District.

6. The Managing Trustee,
Sri Sundaraja Perumal Devasthanam,
Paramakudi,
Ramanathapuram District.

7. S.R.Hariram

... Respondent(s)

PRAYER : Writ Petition filed under Article 226 of Constitution of India, praying this Court to issue of Writ of Certiorari to call for the records of the impugned order passed by the 2nd respondent in Pa.Mu.(A2)/5001/2024 dated 07.04.2025 along with the consequential impugned order passed by the 4th respondent in Na.Ka.A2/742/2026 dated 06.02.2026 and quash the same as illegal.

For Petitioner	: Mr. M.Kannan
For R1 to R4	: Mr.M.Mahaboob Athiff, SGP
For R5	: Mr.R.Mohamed Riyaz, G.A.(Crl.side)
For R7	: Mr.A.C.Asaithambi

ORDER

Challenging the impugned proceedings of the second respondent dated 07.04.2025 and the consequential order passed by the fourth respondent dated 06.02.2026, the petitioner has filed the present Writ Petition.

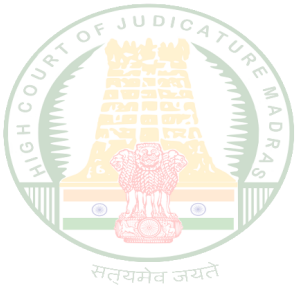


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2. The learned counsel appearing for the petitioner would submit that the petitioner is the son of the seventh respondent. The father of the petitioner had obtained a lease in respect of the property owned by the sixth respondent-Sri Sundaraja Perumal Devasthanam, Paramakudi. With the assistance of the petitioner, a building was constructed in the said property, wherein the petitioner is residing on the ground floor and his father is residing on the first floor. Subsequently, a dispute arose between the petitioner and the seventh respondent, pursuant to which the seventh respondent/father submitted a complaint before the third respondent under the Maintenance and Welfare of Parents and Senior Citizens Act, seeking eviction of the petitioner. The said complaint was allowed in favour of the seventh respondent by order dated 07.04.2025.

3. The learned counsel appearing for the petitioner would submit that, owing to his illness, the petitioner was unable to appear before the third respondent and without affording an effective opportunity of hearing to the petitioner, the impugned order came to be passed. Therefore, he would pray for setting aside the impugned order and remitting the matter back to the third respondent for fresh consideration.



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4. The learned counsel would further submit that the petitioner is willing to shift his residence to the first floor and hand over possession of the ground floor to the seventh respondent. He would also submit that the petitioner is willing to maintain his father and pay the maintenance amount as may be determined by the competent authority. Accordingly, he would pray for appropriate orders.

5. Per contra, the learned counsel appearing for the seventh respondent would submit that the petitioner had deliberately failed to appear before the third respondent and therefore, the third respondent, based on the report of the Social Welfare Officer, passed the impugned order. Hence, interference of this Court with the impugned order is not warranted and the Writ Petition is liable to be dismissed.

6. Heard the learned counsel appearing for the parties and perused the materials available on record.



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7. Considering the facts and circumstances of the case, particularly the undertaking given by the petitioner that he would shift to the first floor, permit the seventh respondent to occupy the ground floor and provide maintenance to his father, this Court is inclined to interfere with the impugned order.

8. Accordingly, the impugned order is set aside and the matter is remitted back to the third respondent for fresh consideration. The petitioner shall appear before the third respondent and extend his full cooperation for disposal of the proceedings. The third respondent shall afford an opportunity of hearing to the petitioner as well as the seventh respondent and thereafter pass a fresh order on merits and in accordance with law. The petitioner shall, in the meantime, shift to the first floor and permit the seventh respondent to occupy the ground floor. The petitioner shall also provide maintenance to the seventh respondent in accordance with law. Such exercise shall be completed within a period of six weeks from the date of receipt of a copy of this order.



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9. Accordingly, the Writ Petition stands disposed of. No costs.

Consequently, the connected miscellaneous petitions are closed.

10.08.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes
PKN



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M.DHANDAPANI,J.

PKN

**ORDER MADE IN
W.P(MD)No.3776 of 2026**

DATED : 10.08.2026