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WHEN WELFARE STATUTES COLLIDE: A CASE STUDY OF S. VANITHA V. DEPUTY COMMISSIONER

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I. ABSTRACT

Judicial interpretation has played a major role in the development of the legal relationship between the rights granted to senior citizens under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 (MWPSA Act) and the residence rights of daughters-in-law under the Protection of Women from Domestic Violence Act, 2005 (PWDV Act). In the absence of an explicit statutory relationship between these two welfare legislations, the judiciary has been forced to evolve principles of harmonious interpretation to deal with conflicts arising in joint living spaces. It traces the judicial trajectory from the restrictive interpretation of "shared household" in S.R. Batra v. Taruna Batra, through the expansive and gender-sensitive re-articulation in Satish Chander Ahuja v. Sneha Ahuja, to the principle of harmonisation established in S. Vanitha v. Deputy Commissioner, Bengaluru Urban District. This research aims to critically examine the development of judicial trends in this area, particularly focusing on the Supreme Court's verdict in S. Vanitha judgment, thereby highlighting the judiciary's role in harmonising conflicting welfare legislations by grounding its reasoning in constitutional principles of dignity, equality, and substantive justice.

II. KEYWORDS

Protection of Women from Domestic Violence Act 2005, shared household, right to residence, harmonious construction, welfare legislation.

III. INTRODUCTION

The dynamic nature of the Indian family structure due to urbanisation, economic independence and shift in the gender roles has had a tremendous impact on inter-generational relations in the household. Although the rights of women have been increasingly recognised by the law in matrimonial homes, the same has recognised

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the vulnerability of elderly parents and senior citizens who have become more prone to neglect, abandonment and abuse in their respective families. The emerging socio-legal environment has thus created a complicated right clash, i.e. the right of senior citizens to maintenance under statutes for peaceful residence on one hand, and the daughter-in-law's right to residence in the shared household on the other.

In the rapidly evolving scenario of Indian family law, the Supreme Court's judgment in *S. Vanitha v. Deputy Commissioner, Bengaluru Urban District* is a major landmark. This judgment deals with the complex interface between the welfare of the elderly and women's protection against domestic violence. This judgment, pronounced on December 15, 2020, by a bench consisting of Justices Dr. Dhananjaya Y. Chandrachud, Indu Malhotra, and Indira Banerjee, tackles the competing rights under the MWPSA Act, 2007 and the PWDV Act, 2005.²

The simultaneous operation of these two welfare legislations has resulted in frequent legal confrontations and judicial responses to this conflict have been varied and evolving. Therefore, this research undertakes a judicial analysis towards reconciling these competing claims, analysing whether the current legal framework strikes a fair balance between elder welfare and women's protection, or whether legislative clarification is required. It reflects a judicial mindset towards harmonious statutory construction to protect the vulnerable sections of society without allowing the rights granted to one section of society to trump the rights granted to another section.

A. Research Objectives

The research seeks to analyse the legal conflict addressed by the Supreme Court in the case of *S. Vanitha v. Deputy Commissioner, Bengaluru Urban District*, which deals particularly with the intersection between the residential rights of a daughter-in-law and the property and welfare rights of senior citizens. Within the Indian family law, the case highlights an important jurisprudential dilemma where two welfare legislations operate simultaneously but may produce competing claims.

² *S. Vanitha*, (2021) 15 SCC at 731 (bench composition and date).

The primary objective of this research is to examine the manner in which the Supreme Court harmonised the provisions of the PWDV Act, 2005 and the MWPSA Act, 2007. The study aims to evaluate how the Court, in prioritising a harmonious construction approach, rather than allowing one statute to completely override the other, interpreted these statutes in order to balance the statutory right of residence available to women with the property rights and welfare protections granted to elderly parents.³

B. Research Questions

This study is guided by the following research questions:

1. Whether the non-obstante clause under Section 3 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 automatically overrides the right to residence guaranteed under Section 17 of the Protection of Women from Domestic Violence Act, 2005?
2. What interpretative approach should courts and tribunals adopt when resolving conflicts between two welfare legislations governing residential rights within a shared household?

C. Research Methodology

The present study adopts a doctrinal or black-letter research methodology, which primarily involves a traditional legal methodology focusing on the systematic analysis of authoritative legal texts like statutes, cases, and regulations so as to determine, organise, and interpret the existing state of the law. The research focuses on the judicial interpretation and interaction between the statutory provisions governing the rights of senior citizens and the protective rights granted to women in domestic relationships. In this context, the study critically examines the legal issues arising from the judgment of *S. Vanitha v. Deputy Commissioner, Bengaluru Urban District*.⁴

The research primarily relies on primary legal sources, which constitute the core materials for doctrinal legal analysis. These include statutory enactments such as the

³ *S. Vanitha*, (2021) 15 SCC at 742–43 (harmonious construction principle).

⁴ *S. Vanitha*, (2021) 15 SCC at 730.

MWPSC Act, 2007 and the PWDV Act, 2005, along with relevant Constitutional principles and judicial precedents.

The research further employs a qualitative analytical approach, wherein the study also makes use of secondary sources to contextualise and critically evaluate the judicial reasoning. These sources include scholarly books on family law, peer-reviewed journal articles, academic commentaries on the relevant statutes, and other scholarly writings that analyse the evolving relationship between property rights of senior citizens and the residential protection granted to women under domestic violence legislation.

D. Literature Review

The literature reviewed for this research primarily focuses on two important legislations and a line of judicial precedents that have shaped the interpretation of residential rights under domestic violence law.

1. Legislative Framework

- **Protection of Women from Domestic Violence Act, 2005:** The right of the appellant to reside rested upon the provision under Section 17⁵ of the Act, which grants to every woman in a domestic relationship the right to reside in the shared household regardless of her legal or proprietary interest in the property.⁶ Section 18 empowers the Magistrate to issue protection orders against acts of domestic violence, whereas Section 19 authorises residence orders, such as an injunction of dispossession or directing alternative accommodation. All these measures are meant to stop women from facing homelessness and being economically vulnerable in case of domestic violence.⁷

⁵ Protection of Women from Domestic Violence Act, No. 43 of 2005, INDIA CODE (2005).

⁶ The Protection of Women from Domestic Violence Act, No. 43 of 2005, § 17, Acts of Parliament, 2005 (India).

⁷ The Protection of Women from Domestic Violence Act, 2005, §§ 18–19, No. 43, Acts of Parliament, 2005 (India).

- **Maintenance and Welfare of Parents and Senior Citizens Act, 2007:** The senior citizens, on the other hand, rely on the 2007 Act⁸, especially under Section 4, which recognises that parents and senior citizens have a right to maintenance and Section 23, which invalidates any transfer of property made as void, subject to the condition of maintenance if such condition is breached.⁹ The Act is also welfare in nature, which seeks to provide the senior citizens with the privilege to live with dignity, security and peace as a continuation of their right to life as stipulated in Article 21 of the Constitution. It is noted that the Act contains provisions empowering tribunals to order the eviction of individuals who occupy the property of senior citizens without authority or who subject them to harassment. Importantly, Section 3 of the Act contains a non-obstante clause, which provides that the provisions of the statute shall have effect notwithstanding anything inconsistent contained in other laws.¹⁰

2. Judicial Development of the Law

- **S.R. Batra v. Taruna Batra:** The 2007 decision by the Supreme Court in *S.R. Batra v. Taruna Batra*¹¹ constitutes one of the earliest judicial interpretations of the right to residence under the Domestic Violence Act. In this case, the Court adopted a very restrictive interpretation of the term shared household. It held that a wife's right to reside in the matrimonial home would arise only in property that belongs to or is taken on rent by the husband, and not in property owned by the parents-in-law exclusively.
- **Satish Chander Ahuja vs. Sneha Ahuja:** This case of 2020 represents a significant doctrinal shift in the way the courts have approached the issue, as the Supreme Court re-examines the determination that was

⁸ The Maintenance and Welfare of Parents and Senior Citizens Act, 2007, No. 56, Acts of Parliament, 2007 (India).

⁹ Maintenance and Welfare of Parents and Senior Citizens Act, 2007, § 23, No. 56, Acts of Parliament, 2007 (India).

¹⁰ Maintenance and Welfare of Parents and Senior Citizens Act, 2007, § 3, No. 56, Acts of Parliament, 2007 (India).

¹¹ *S.R. Batra v. Taruna Batra*, (2007) 3 SCC 169 (India).

previously established in the *Batra* case, carefully analysing the legislation that guides the application of the Domestic Violence Act.¹² The Court clarified that the concept of a shared household cannot be restricted solely to property owned by the husband. Instead, it must be interpreted in a broader sense to include a household where the aggrieved woman has lived in a domestic relationship. The Court determined that the previous interpretation that was established in the *Batra* case was far too narrow in its application to the intent that was established by the legislature. The judgment emphasised that the Domestic Violence Act is a welfare legislation intended to protect women from displacement and domestic abuse, and therefore its provisions must be interpreted in a manner that advances its protective purpose.

- **S. Vanitha v. Deputy Commissioner, Bengaluru Urban District:** In this case, eviction proceedings were initiated by senior citizens under the Senior Citizens Act against their daughter-in-law.¹³ The central legal question before the Court was whether the non-obstante clause in the Senior Citizens Act would override the residential rights of the daughter-in-law under the Domestic Violence Act. The Supreme Court adopted a harmonious interpretative approach, recognising that both statutes are social welfare legislation enacted to protect vulnerable groups. By analysing this judgment highlights that the Court sought to prevent the misuse of eviction proceedings as a mechanism to circumvent a woman's right to residence. At the same time, it acknowledged the legitimate interests of senior citizens in securing peaceful enjoyment of their property. This decision, delivered on 15 October 2020, therefore represents an important attempt by the judiciary to reconcile competing welfare objectives within the framework of Indian family law.

¹² Satish Chander Ahuja v. Sneha Ahuja, (2021) 1 SCC 414 (India).

¹³ S. Vanitha v. Deputy Commissioner, Bengaluru Urban Dist., (2021) 15 SCC 730 (India).

3. Case-Specific and Analytical Commentaries

- **A contemporary review of how the *Vanitha* judgment by Shivansh Pathak:** In *S. Vanitha v. Deputy Commissioner: Balancing Women's Rights and Senior Citizens' Protections*,¹⁴ Shivansh Pathak critically analyses the Supreme Court's attempt to harmonise the PWDV Act, 2005, with the MWPSA Act, 2007. The author highlights how the Court moved away from a rigid statutory hierarchy and adopted a purposive interpretation to prevent automatic eviction of daughters-in-law claiming residence rights. Pathak argues that the judgment marks a significant shift towards balancing competing vulnerabilities rather than privileging one welfare statute over another. This analysis is particularly relevant in understanding the evolving judicial approach to "shared household" disputes and inter-generational family conflicts.
- **Law and its Discontents: Ageing and Family Law in India by Sarasu Esther Thomas:** Sarasu Esther Thomas, in *Law and its Discontents: Ageing and Family Law in India*,¹⁵ critically examines the statutory framework governing senior citizens' rights within Indian family law, providing an important theoretical foundation for this chapter. Analysing the MWPSA Act, 2007 and the PWDV Act, 2005, the author states elder protection within constitutional values of dignity and equality under Article 21. Thomas highlights how a family-centric approach and weak enforcement mechanisms generate inter-generational conflicts, particularly where senior citizens' eviction claims intersect with daughters-in-law's residence rights. Although the article does not directly analyse the evolving "shared household" jurisprudence, it explains the structural challenges courts face in

¹⁴ Shivansh Pathak & Anupam Jain, Case Comment: *S. Vanitha v. Deputy Commissioner, Bengaluru Urban District & Ors. - Balancing Women's Rights and Senior Citizens' Protections*, 5 *Jus Corpus L.J.* 1 (2025).

¹⁵ Sarasu Esther Thomas, *Law and Its Discontents: Ageing and Family Law in India*, *J. Soc. & Econ. Dev.* 1 (2023), <https://doi.org/10.1007/s40847-022-00211-2>.

harmonising competing statutory claims within the same domestic space.

IV. BACKGROUND: EARLY JUDICIAL APPROACH

The case was a landmark decision by the Supreme Court in *S.R. Batra v. Taruna Batra*, delivered by a Two-Judge Bench of the Supreme Court of Justices, S.B. Sinha and Markandey Katju on December 15, 2006, which adopted a narrow interpretation of the term “shared household” under Section 2(s) of the Domestic Violence Act, 2005.¹⁶ The facts entailed Taruna Batra, who after the discord in her marital relationship, attempted to apply her right to inhabit in the second floor of a property that was solely owned by her mother-in-law, Appellant No. 2 and where she was dwelling with her husband after marriage. The husband did not have any interest in owning the property, and the in-laws wanted to drive her out.¹⁷

The Supreme Court decided that the aggrieved wife, who is a daughter-in-law, had no right to automatically or inherently occupy a property owned solely by her in-laws, especially in cases where the husband does not have a legal interest of ownership, tenancy or share of the joint family property. The Court restricted the meaning of shared household in Section 2(s) to premises that either belong to or are rented by the husband or are a joint family property the husband was a member, to which he had entitlement. The court noted in the judgment that the protective arrangements of the DV Act must not generate any proprietary or any obligation rights against third parties to the title, such as in-laws.¹⁸

A key excerpt from the judgment illustrates this narrow approach: "There is no such law in India, like the British Matrimonial Homes Act, 1967, and in any case, the rights which may be available under any law can only be as provided by statute and not otherwise." The Court also noted that the definition of shared household in Section 2(s) was “not very happily worded” and that it needed a sensible meaning since it would otherwise bring chaos into society. The Court did not accept the broad sense

¹⁶ Protection of Women from Domestic Violence Act, 2005, § 2(s), No. 43, Acts of Parliament, 2005 (India).

¹⁷ *S.R. Batra*, (2007) 3 SCC at 169–70 (facts).

¹⁸ *Id.* at 172–73.

that would provide anyone living together in the past with a right to live in the self-acquired property of in-laws.

This decision gave priority to property ownership and title rather than factual residence or marital status, which limited the coverage of the DV Act of a daughter-in-law in an in-law's exclusive property. It was more conservative in its opinion, and in line with the traditional principles of property law, but it was eagerly criticised as creating significant vulnerability to eviction and homelessness in marriage breakages, particularly in joint family arrangements as practised in India.¹⁹

In another decision of 2020, in *Satish Chander Ahuja v. Sneha Ahuja* that was decided, by a three judges Bench of Justices Ashok Bhushan, R. Subhash Reddy, and M.R. Shah, explicitly overruling the restrictive interpretation established in *S.R. Batra v. Taruna Batra* to a degree where it restricted shared household to properties that the husband owned, rented or those that he shared with his wife.²⁰

A dispute over matrimonial issues resulted in the case, in which Sneha Ahuja asserted a claim on residence under the DV Act in a matrimonial property owned by her father-in-law, Satish Chander Ahuja, in which she had cohabited with her husband. The inferior courts based on the judgment passed in the case of *Batra* had rejected her claim, citing that the husband was not owned.²¹

The Supreme Court made an extensive statutory interpretation of Section 2(s) of the DV Act, where it was contended that the definition of shared household is exhaustive and inclusive as opposed to restrictive. It applies to any home where the aggrieved woman resides or at any point lived in a domestic relationship with the respondent, as well as relatives of the husband, including in-laws, regardless of title, ownership, and beneficial interest.

The Court in *Ahuja's* case clarified:

1. The phrase "means a household where the person aggrieved lives or at any stage has lived in a domestic relationship" must be given a broad, purposive

¹⁹ See Pathak & Jain, *supra* note 13, at 6(critique of vulnerability).

²⁰ *Satish Chander Ahuja*, (2021) 1 SCC at 414 (bench and overruling).

²¹ *Id.* at 416-17 (facts).

interpretation to fulfil the Act's objective of protecting women from domestic violence and preventing homelessness.²²

2. The subsequent clauses in Section 2(s) (including references to joint family property or equity) expand rather than limit the primary definition.
3. "Living" in the household requires some degree of permanency and intention to treat it as the matrimonial home, not transient or fleeting stays.

The Court expressly declared that the interpretation in the case of S.R. Batra was incorrect and did not lay down good law, as it frustrated the object and purpose of the DV Act by confining residence rights to husband-centric properties. Instead, the right under Section 17 of DV Act is protective and residence-oriented, not proprietary or ownership-based as it prevents arbitrary eviction but does not confer title. The judgment stressed the need for harmonious construction with other laws, noting that while the residence right is vital, it must be balanced against competing claims.

This decision marked a progressive shift toward gender-sensitive jurisprudence, expanding women's protections under the DV Act while calling for balanced application in intersectional conflicts, such as those involving the Senior Citizens Act. It set the stage for subsequent rulings, including *S. Vanitha v. Deputy Commissioner* (2020) 15 SCC 730, which built upon this expanded framework to address harmonious construction with elder welfare laws.²³

V. FACTUAL MATRIX OF S. VANITHA

The case background centres on a family dispute involving matrimonial discord, suspicious property transfers, and clashing claims under the Senior Citizens Act, 2007, and the PWDV Act, 2005. The Appellant, Smt. S. Vanitha is the daughter-in-law of the second and third Respondents, who are the mother-in-law and father-in-law, aged 72 and 82, respectively, and the estranged wife of the fourth Respondent, her Husband. The dispute concerns a residential property, i.e., the suit premises in the shared family

²² Satish Chander Ahuja, (2021) 1 SCC at 428.

²³ S. Vanitha, (2021) 15 SCC at 730.

home at Bengaluru, along with her husband, her parents-in-law and her minor daughter.²⁴

The Appellant married the Respondent No. 4 on 30 May 2002. Matrimonial tensions soon emerged, with allegations of dowry harassment by her husband and in-laws. She claimed she was compelled to file a suit for partition against her own father to meet dowry demands, which she later withdrew after her husband allegedly deserted her in 2003 to pursue a relationship with another woman. The suit premises originated from a plot of land purchased by the fourth respondent on 2 May 2002, just months before the marriage. The appellant asserted that her father had financially contributed to this purchase, implying her stake in the property.²⁵

On 5 October 2006, he sold it to his father, Respondent No. 3 for the original Rs. 1.19 lakhs, despite value appreciation. The couple had a daughter by then. In 2009, the fourth respondent filed for divorce under Sections 13(1) (ia) and (ib) of the Hindu Marriage Act, 1955, before the JMFC, Nelamangala.²⁶ The third respondent constructed a house and gifted it to the second respondent via deed dated 19 July 2010.

On 17 August 2010, the Respondent No. 2 filed a suit for injunction against the Appellant's interference, which remains pending. The Trial Judge granted a divorce on 5 December 2013, but the Karnataka High Court set it aside on 14 January 2016, remanding to the Family Court; proceedings are pending. The husband remarried during the pendency of this appeal. The Appellant filed for maintenance in March 2014 before the JMFC, Nelamangala.

In 2015, the in-laws filed a petition under the Senior Citizens Act before the Assistant Commissioner, Bengaluru North Sub-Division, seeking:

1. the Appellant's eviction from the suit premises;
2. a direction to the fourth respondent to pay Rs. 15,000 monthly maintenances to his parents; and

²⁴ S. Vanitha, (2021) 15 SCC at 731–32 (parties and dispute overview).

²⁵ Id. at 732 (marriage and dowry allegations).

²⁶ Hindu Marriage Act, 1955, §§ 13(1)(ia)–(ib), No. 25, Acts of Parliament, 1955 (India).

3. payment of Rs. 25,000 towards legal expenses by the appellant and fourth respondent.

They alleged the Appellant ousted them on 12 August 2010, post-disputes, forcing relocation to their native place, and claimed the property as self-acquired and gifted. The Appellant objected, calling it malicious and collusive to evict her from her matrimonial home, and challenged jurisdiction, arguing that no eviction provision exists.

The Assistant Commissioner allowed it on 25 June 2015, deeming the property self-acquired and gifted, directing Rs. 10,000 monthly maintenance and the appellant's vacation. Appeals to the Deputy Commissioner were dismissed on 29 February 2016. The Appellant's writ under Article 226 was upheld by the Single Judge in June 2019, who noted the gift deed and initially dissolved the marriage, limiting her claims to her husband. The Division Bench affirmed on 17 September 2019, rejecting jurisdiction challenges and directing vacation by 31 December 2019.

Aggrieved, the Appellant approached the Supreme Court under Article 136, challenging the eviction order and asserting her right to reside in the shared household under the PWDV Act, 2005.

VI. ARGUMENTS ON BEHALF OF THE APPELLANT, SMT. S. VANITHA

The Appellant's primary contention was that the suit premises constituted her "shared household" under Section 17 of the PWDV Act, and she had a legal right to reside in it, entitling her to protection against eviction. She argued that, as the lawfully wedded wife of the Respondent No. 4, with the divorce decree set aside, and proceedings remanded, she could not be ousted from her matrimonial home, where she resided with her minor daughter. Relying on the Supreme Court's decision in *Satish Chander Ahuja v. Sneha Ahuja*, she emphasised that the right to residence under Section 17 is protective and not contingent on ownership, extending to premises where she lived in a domestic relationship, irrespective of title.

She alleged collusion and malice in the proceedings under Sections 3 and 4 of the Senior Citizens Act, claiming they were instituted by her in-laws in connivance with her estranged husband to deprive her of her matrimonial home. The series of property transfers from her husband to his father and then gifted to the mother-in-law in 2010 was portrayed as a manipulative scheme to defeat her rights, especially timed around the divorce filing and injunction suit.

The Appellant challenged the jurisdiction of the Maintenance Tribunal, Assistant Commissioner and Deputy Commissioner to order eviction, asserting that the Senior Citizens Act provides only for maintenance and not for dispossession or eviction. She argued that eviction powers are not implied under Section 23, which deals with voiding conditional transfers or enforcing pre-existing maintenance rights, and that the Tribunal's summary procedure cannot override her substantive rights under the PWDV Act.

Factually, she disputed the High Court's finding on her residential status, claiming the postal endorsement of "no such person" on a 21 June 2018 cover was fraudulent, as it arrived when no one was home. She highlighted her ongoing vulnerability, as to no alternative residence, pending divorce and maintenance claims, her husband's desertion and remarriage, disconnection of utilities, and her daughter's educational needs without paternal support. She urged harmonious construction of the two Acts, prioritizing women's protection against domestic violence and homelessness over summary elder remedies.²⁷

VII. ARGUMENTS ON BEHALF OF THE RESPONDENTS, PARENTS-IN-LAW

The Respondents No. 2 & 3, who were mother- in- law and father-in-law respectively, defended the eviction order, emphasising their status as senior citizens entitled to protection and enjoyment of their property under the Senior Citizens Act. They argued that both respondents were elderly individuals, aged 72 and 82, respectively and were entitled to protection under the MWPSA Act, 2007. According to them, the

²⁷ S. Vanitha, (2021) 15 SCC at 734–35 (appellant's contentions).

legislation was enacted specifically to safeguard senior citizens from neglect, harassment, and dispossession by family members.

They argued that the suit premises were constructed by the third respondent on land measuring 1200 square feet, self-acquired and subsequently gifted to the second respondent, granting them absolute ownership. The Appellant, they claimed, had ousted them on 12 August 2010 following matrimonial disputes, forcing them to live in their native place, and had illegally occupied the property without any legal right or authority.

On jurisdiction, they submitted that the Tribunal under the Senior Citizens Act has broad powers to protect the life and property of senior citizens, including implied authority to order eviction. They interpreted Section 23(1) as empowering the Tribunal to void transfers conditioned on maintenance if the transferee fails to provide it, and Section 23(2) as securing pre-existing maintenance rights against transferees with notice. The expression "maintenance" in Section 2(b) includes residence, implying a right to peaceful possession enforceable through eviction if necessary. They argued that the Act's intent to provide inexpensive, speedy relief requires reading eviction powers by implication, as relegating seniors to civil courts would defeat its purpose. They cited High Court precedents upholding eviction in cases of neglect or harassment by children or relatives.²⁸

They rebutted collusion allegations, asserting the proceedings were genuine to restore their possession and secure maintenance from their son. They noted concurrent findings by the Tribunal, appellate authority, and High Court that the appellant had no claim against them, with her remedies lying solely against her husband. They urged that under Section 3 of Senior Citizens Act that provides for non-obstante clause overrides inconsistent provisions, including those under the PWDV Act, prioritizing elder welfare in an aging society.²⁹

²⁸ Id. §§ 2(b), 23(1)– (2); S. Vanitha, (2021) 15 SCC at 735–36 (respondents' jurisdiction arguments).

²⁹ Senior Citizens Act, § 3; S. Vanitha, (2021) 15 SCC at 736.

VIII. JUDICIAL RATIONALE

The judgment in *S. Vanitha* was delivered unanimously by a bench of three judges of the Hon'ble Supreme Court comprising Dr. Dhananjaya Y. Chandrachud, Indu Malhotra, and Indira Banerjee. While the opinion is collective and does not feature separate concurrences or dissents, it reflects a cohesive judicial view emphasizing harmonious statutory interpretation, protection of vulnerable groups, and contextual balancing of competing welfare laws. Justice D. Y. Chandrachud, who undertook a detailed examination of the legislative frameworks of both the Senior Citizens Act and the Domestic Violence Act.³⁰

The Court began by analysing the object and purpose of the MWPSA Act, 2007. It observed that the Act was enacted to address the growing social problem of neglect and abandonment of elderly parents in modern society, particularly in the context of the declining joint family system. The legislation was intended to provide a simple, speedy, and inexpensive mechanism for senior citizens to claim maintenance and protection of their property.

However, the Court also noted that the dispute before it involved two competing statutory rights:

1. The right of senior citizens to protection of their property and maintenance.
2. The right of a married woman to reside in the shared household under the Domestic Violence Act.

The Court emphasized that the Domestic Violence Act is a welfare legislation intended to secure the rights and dignity of women facing domestic abuse. Section 17 of the Act grants every woman in a domestic relationship the right to reside in the shared household, irrespective of whether she has any legal title in the property.

Justice Chandrachud noted that the right to residence provided under Domestic Violence Act is a significant right that aims at ensuring women are not left without a home or money because of the marriage conflicts. This right, hence, cannot be

³⁰ *S. Vanitha*, (2021) 15 SCC at 730–31.

neglected or circumvented by means of an action that is taken in accordance with a different statute.

The Court also clarified that the two statutes work in independent areas but may overlap on some facts as is the case in the current case. Under these conditions, the right course of justice is to not regard one statute overriding another, but to interpret the two laws in harmony to maintain their goals.

The Court condemned the stance taken by the authorities and the High Court as it was pointed out that the authorities and the High Court did not take into consideration the claim of residence of the appellant under the Domestic Violence Act. They had instead been acting on the premise of property ownership only according to the Senior Citizens Act.

Justice Chandrachud held that while the Senior Citizens Act aims to protect elderly individuals, it cannot be interpreted in a manner that nullifies the statutory protections granted to women under the Domestic Violence Act. Both laws must be read together so that the rights of senior citizens and women are balanced fairly.

IX. DECISION OF THE SUPREME COURT

Upon review of the conflicting arguments, the Supreme Court set aside the orders authorizing eviction of the appellant of the premises.

The Court ruled that the authorities of the Senior Citizens Act had not taken into account the right of residence of the appellant of the Domestic Violence Act which was a grave legal mistake. It underlined the fact that in the case of contradicting claims such as the one, the definite authority ought to exercise its close analysis of both laws and guarantee that no set of rights is overlooked.

The Court affirmed the suit premises as a "shared household" under the DV Act, based on the appellant's long-term residence and the gift deed's implications, overriding narrow ownership interpretations from *Batra*. It rejected the absolute overriding effect of the Senior Citizens Act, holding that Section 3 applies only to inconsistencies, not to eclipse DV protections. Instead, harmonious construction mandates Tribunals to consider DV rights: eviction under Section 23 is permissible if "necessary and

expedient" for elder maintenance, like in ill-treatment cases, but as an "incident" to welfare enforcement, not a standalone remedy.³¹

The Court decided that the eviction decree issued by the Assistant Commissioner, affirmed by the Deputy Commissioner and supported by the High Court, was unsustainable in law, considering that it did not take into account the statutory safeguard that the appellant had as a woman in a domestic relationship.

The Supreme Court thus sent the case back to be reconsidered in which case the residence claim under the Domestic Violence Act should be duly considered. The Court made it clear that even the rights of elderly citizens to their property are not trivial and that these rights should be aligned with the legally guaranteed residential rights of women.³²

X. FINDING OF THE STUDY

The decision in *S. Vanitha* represents an important development in Indian family law jurisprudence. The Supreme Court clarified that proceedings under the Senior Citizens Act cannot automatically override the residential rights granted to women under the Domestic Violence Act.³³

The study finds that even the right to residence granted to a daughter-in-law under the Domestic Violence Act is not absolute and should be geared against the statutory and constitutional rights of senior citizens to live with dignity and peaceful possession of their property. It observes that judicial intervention has turned into the main tool of settling such conflicts when there is no legislative clarity and thus is said to be necessary to harmonise and context-sensitive adjudicatory framework to protect both the elderly parents and married women without rendering either vulnerable.³⁴

XI. SUGGESTIONS AND RECOMMENDATIONS

In light of the foregoing analysis, the following suggestions are proposed to address the legal and procedural ambiguities arising from the intersection of the Maintenance

³¹Id. at 742–43 (Section 3 limitation; eviction as incidental).

³² Id. at 744–45 (remand directions).

³³ *S. Vanitha*, (2021) 15 SCC at 742.

³⁴ See Thomas, *supra* note 14, at 7 (inter-generational balance).

and Welfare of Parents and Senior Citizens Act, 2007 and the Protection of Women from Domestic Violence Act, 2005:

1. The legislature should consider introducing explicit provisions clarifying the jurisdictional scope of Maintenance Tribunals under the 2007 Act, particularly in cases where competing claims under the Domestic Violence Act are involved, so as to prevent inconsistent or summary eviction orders.
2. It is recommended that tribunals exercising powers under the Senior Citizens Act be mandated to examine the existence of parallel proceedings or claims under the Domestic Violence Act prior to issuing eviction orders, thereby ensuring procedural fairness and protection of residential rights.
3. The expeditious enactment of the proposed amendments to the Maintenance and Welfare of Parents and Senior Citizens Act, as reflected in the 2019 Amendment Bill, should be prioritised, particularly with regard to expanding the definition of “children” to include daughters-in-law, in order to bring greater clarity and inclusiveness within the statutory framework.

XII. CONCLUSION

Delving into the intricate tapestry of Indian family jurisprudence, the Supreme Court's decision in *S. Vanitha v. Deputy Commissioner, Bengaluru Urban District & Ors.* (2020) 15 SCC 730 emerges not merely as a resolution to a singular matrimonial-property dispute but as a beacon of doctrinal evolution in reconciling competing welfare paradigms. The integration of protective measures in the MWPSA Act of 2007 with those in the PWDV Act of 2005 is highlighted in the judgment as a judiciary that promotes equity in all forms while protecting the dignity of an ageing society and reasserting women's protection from patriarchal dispossession.

The Court effectively held that the presence of a non-obstante clause does not automatically result in absolute supremacy of one statute, especially when two welfare laws operate in overlapping social contexts. Instead, the proper judicial approach is to harmoniously interpret both statutes so that their objectives are preserved. Thus, eviction proceedings under the Senior Citizens Act must still

consider the daughter-in-law's right to reside in the shared household under the Domestic Violence Act.³⁵

In essence, the judgment demonstrates that non-obstante clauses are not always decisive when two beneficial legislations conflict; courts may limit their overriding effect in order to protect competing statutory rights and achieve substantive justice.

The exhaustive yet inclusive definition of "shared household" under Section 2(s) of the PWDV Act, as broadly interpreted following *Satish Chander Ahuja v. Sneha Ahuja*, confirms residence as a protective right against homelessness, independent of ownership interests. At the same time, the implied eviction powers under Section 23 of the Senior Citizens Act are limited to discretionary measures, available only when "necessary and expedient" for seniors' peaceful living, and must be shaped to avoid women's homelessness, such as same level of alternate accommodation under Section 19(f) of the PWDV Act or required disclosure of related proceedings under Section 26.³⁶

Another important contribution of the decision lies in its recognition that statutory tribunals and administrative authorities must carefully evaluate overlapping legal claims before passing orders that may affect fundamental personal rights such as housing and security. The Court's direction that such conflicts must be adjudicated in a manner that respects both legal frameworks reflects a broader commitment to substantive justice rather than procedural expediency.

For legal scholarship and policy discourse, the judgment underscores the need for a more coherent legislative and institutional mechanism to address conflicts between family-related welfare laws. In this context, reference may be made to the Maintenance and Welfare of Parents and Senior Citizens (Amendment) Bill, 2019, which proposes, *inter alia*, the expansion of the definition of 'children' to include daughters-in-law. If enacted, such a reform could significantly alter the legal landscape by bringing daughters-in-law within the statutory maintenance framework,

³⁵ *Id.* at 742 (non-obstante limitation).

³⁶ PWDV Act, § 2(s); *Satish Chander Ahuja*, (2021) 1 SCC at 428; Senior Citizens Act, § 23; PWDV Act, §§ 19(f), 26.

thereby reducing adversarial litigation and facilitating a more integrated resolution of competing residential and welfare claims, as seen in *S. Vanitha*. As family relationships become increasingly complex and disputes involving shared residential spaces become more frequent, courts will continue to play a crucial role in balancing competing claims of dignity, security, and property rights.

In conclusion, the ruling in *S. Vanitha* stands as a landmark precedent that affirms the importance of interpreting welfare legislation in a manner that protects vulnerable individuals without undermining the legitimate rights of others. By harmonising the objectives of the Senior Citizens Act and the Domestic Violence Act, the Supreme Court has laid down an important jurisprudential framework for resolving similar disputes in the future, thereby contributing to the development of a more balanced and humane approach within Indian family law jurisprudence.³⁷

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³⁷ See Pathak & Jain, *supra* note 13, at 6.

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