



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.06.2017

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
and
THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.A(MD)No.153 of 2017 and
C.M.P(MD)Nos.1694 and 1695 of 2017

Chitra Devi

.. Appellant

Vs.

1. The District Collector,
District Collectorate,
Madurai District.
2. The Sub Divisional Magistrate Cum
Revenue Divisional Officer,
Madurai, Madurai District.
3. Nallsivam
4. Kalimuthu

.. Respondents

Writ Appeal filed under Clause 15 of Letters Patent Act against the order dated 08.02.2016 made in W.M.P(MD)No.2377 of 2016 in W.P(MD)No.2693 of 2016.

Prayer in WP(MD). 2693/ 2016 :

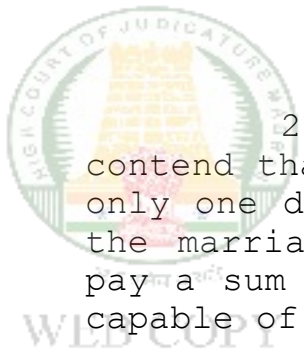
Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari to call for the records pertaining to the Impugned Order in NA.KA.No.4934/2015/M, dated 11.01.2016 on the file of the Respondent No.2 and quash the same as illegal.

For Appellant : Mr.T.Lajapathi Roy
For Respondents 1 & 2 : Mr.V.R.Shanmuganathan
Special Government Pleader.
For Respondents 3&4 : Mr.K.Sudalaiyandi

JUDGMENT

(Judgment of the Court was delivered by T.S.SIVAGNANAM, J)

This appeal by the daughter-in-law of the respondents 3 and 4 is directed against the interim order passed in W.M.P(MD)No.2377 of 2016 in W.P(MD)No.2693 of 2016 dated 08.02.2016.



2.Learned counsel appearing for the appellant would contend that the appellant's husband is working abroad and she has only one daughter who has been married and she has taken loan for the marriage expenses and the condition imposed by the Court to pay a sum of Rs.12,000/- per month towards to her in-laws is not capable of her compliance as she is in financial problem.

3.We heard the appellant who appeared in person and the third respondent who appeared before us in person who has a different story to tell. However, we only examine the interim order passed by the Writ Court.

4.After hearing the learned counsel appearing for both parties as well as the appellant and the third respondent who appeared before us, we dispose of this appeal by modifying the condition imposed by the Writ Court directing the appellant to pay a sum of Rs.8,000/- per month and such payment shall be from the date of the order impugned in this writ appeal. The appellant is granted three weeks time to pay the arrears and the future installments, i.e., commencing from the month of July on or before 5th of every succeeding month. In the event, the appellant fails to comply with the above condition, the order of interim stay shall stand automatically vacated. No costs. Consequently, C.M.P (MD)Nos.1694 and 1695 of 2017 are closed.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
District Collectorate,
Madurai District.

2. The Sub Divisional Magistrate Cum
Revenue Divisional Officer,
Madurai, Madurai District.

+ 1 CC TO Mr.T.LAJAPATHI ROY, ADVOCATE IN SR No. 59598
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 59756
+ 1 CC TO Mr.K.SUDALAIYANDI, ADVOCATE IN SR No. 59558

MRN/MJ

TE/KKR/SAR-IV : 20/06/2017 : 3P/6C

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