

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :25.06.2019

CORAM

THE HON'BLE MR.JUSTICE P.D.AUDIKESSAVALU

W.P. No. 17420 of 2019
and
W.M.P. No. 16904 of 2019

K. Saroja

...Petitioner

Vs.

1. The District Collector
Collectorate, Erode District.

2. The Sub Registrar
Office of the Sub-Registrar
Perunthurai, Erode District.

3. The Child Welfare Officer
Office of the Child Welfare Officer
No.141, College Road
Tiruppur District.

... Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the First Respondent to consider the Petitioner's representation dated 18.02.2019 and forbearing the Third Respondent to interfere with the custody of child namely Sakthi shree aged about 6 months from Murugesan and maragathaveni, in pursuant of adoption deed No.5/2019 dated 25.01.2019 registered in 2nd Respondent's office, executed by Petitioner and her husband Kumar whose are biological parents, in favour of Murugesan and Maragathaveni whose are adoptive parents.

For Petitioner : Mr. P.Saravanan

For Respondents : Mr. R. Venkatesh
Government Advocate (For R1 and R3)
Mr. T.M. Pappiah
Special Government Pleader (For R2)

O R D E R

Mr. R. Venkatesh, Learned Government Advocate takes notice for the First to Third Respondents and Mr. T.M. Pappiah, Learned Special Government Pleader takes notice for the Second Respondent.

2. When it was pointed out that the Writ Petition seeking to prevent statutory authority from performing their duties could not be entertained in a Writ Petition under Article 226 of the Constitution, Learned Counsel for the Petitioner seeks permission of this Court to withdraw the Writ Petition. Recording the same, the Writ Petition is dismissed as withdrawn.

3. It is submitted by the Learned Counsel for the Petitioner that the dismissal of the Writ Petition ought not be construed as precluding the Petitioner from pursuing any other legal remedy available to her under law for necessary relief that she may be entitled. It is needless to add here that no view has been expressed by this on the entitlement or correctness of the claim made by the Petitioner in this regard.

Sd/-
Assistant Registrar(CS-III)

//True copy//

Sub Assistant Registrar

maya

To

1. The District Collector
Collectorate, Erode District.
2. The Sub Registrar
Office of the Sub-Registrar
Perunthurai, Erode District.
3. The Child Welfare Officer
Office of the Child Welfare Officer
No.141, College Road
Tiruppur District.

+1cc to Mr.P.Saravanan, Advocate SR.No.52692

+1cc to Government Pleader SR.No.53476

W.P. No.17420 of 2019

RSY(CO)
GMY(15/07/2019)