



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.10.2019

CORAM

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

W.P. No. 30312 of 2019
and
W.M.P. No. 30298 of 2019

Sivaraman

... Petitioner

-vs-

1. The District Collector,
Collectorate,
Nagapattinam District,
Nagapattinam.
2. The Sub-Collector,
Sub Collector Officer,
Nagapattinam and Post
Nagapattinam District.
3. Kanagasundaram Gounder
4. K. Saradambal

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order passed by the Second Respondent in Na.Ka.No. 3319/2019/A3 dated Nil.07.2019 and quash the same and direct the Second Respondent to revoke the summon issued through this Na.Ka.No. 3319/2019/A3 dated Nil.07.2019.

For Petitioner : Mr. K.M. Subramaniam

For Respondents: Mr. M. Karthikeyan
Additional Government Pleader
for R1 and R2

O R D E R

When it is pointed out that the order impugned in this Writ Petition is merely requiring the Petitioner to appear for enquiry in proceedings under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 and that he would have to



attend the enquiry before the Second Respondent to place his explanation with supporting materials and it is only in the event of an order entailing adverse civil consequences that he could be aggrieved, Learned Counsel for the Petitioner seeks permission of this Court to withdraw the Writ Petition and he has also made an endorsement to that effect, which is recorded.

2. Accordingly, the Writ Petition is dismissed as withdrawn. The Second Respondent shall ensure that there is atleast one effective hearing every week showing progress of the case and after affording full opportunity of hearing to all parties concerned, shall consider each of their contentions and pass reasoned order on merits and in accordance with law and communicate the decision taken to them under written acknowledgment. It is made clear that depending upon the ultimate outcome of the proceedings before the Second Respondent, it would be open to the concerned parties to work out their remedies for necessary relief before the competent forum in the manner recognized by law. No costs. Consequently, the connected Writ Miscellaneous Petition is closed.

Sd/-
Assistant Registrar (CO)

//True copy//

Sub Assistant Registrar

kv/maya

To

1. The District Collector,
Collectorate,
Nagapattinam District,
Nagapattinam.

2. The Sub-Collector,
Sub Collector Officer,
Nagapattinam and Post
Nagapattinam District.

+1cc to Government Pleader SR.No.89936

W.P. No. 30312 of 2019

RSI (CO)
GMY (07/01/2020)