



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.04.2019

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THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM
and
THE HONOURABLE MRS.JUSTICE R.THARANI

W.A. (MD) .No.837 of 2017
and
C.M.P. (MD) .No.5746 of 2017

K.Muruges Pillai

... Appellant

Vs.

1. Mr.M.Venugopal
2. The District Magistrate cum District Collector,
Kanyakumari District,
Nagercoil.
3. The Sub Divisional Magistrate
cum Revenue Divisional Officer,
Padmanabhapuram, Kanyakumari District.
4. The Union of India,
represented by its Secretary,
Ministry of Social Justice and Empowerment,
Shastri Bhavan,
Dr.Rajendra Prasad Road,
New Delhi 110 001.
5. State of Tamil Nadu,
represented by its Secretary,
Department of Social Welfare,
Secretariat, Chennai -9.

(R4 and R5 are impleaded vide Court
Order dated 08.03.2018 made in
C.M.P. (MD) .No.1827 of 2018
in W.A. (MD) .No.837 of 2017.

... Respondents

Prayer:- Writ Appeal is filed under Clause 15 of Letters Patent
against the order passed by this Court in W.P.(MD).No.13733 of 2012,
dated 14.08.2014.

Prayer in WP(MD)No. 13733 of 2012 :

<https://hcservices.ecourts.gov.in/HCServices/> Writ Petition is filed under Article 226 of the
Constitution of India, praying this Court To issue a Writ of
Certiorari, calling for the records pertaining to the order of the



1st respondent in L3/13512/2012 dated 05.10.2012 confirmign the order of the 1st Respondent in A2/5739/2011 dated 12.01.2012 and quash the same.

For Appellant : Mr.T.Aswin Rajasimman
For R1 : Mr.C.K.M.Appaji
For R2, R3 & R5 : Mr.Aayiram K.Selvakumar
Additional Government Pleader

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J U D G M E N T

(Judgment of the Court was made by **K.KALYANASUNDARAM, J.**)

Assailing the order of the learned single Judge passed in W.P. (MD).No.13733 of 2012, dated 14.08.2014, this appeal has been preferred.

2. Heard Mr.T.Aswin Rajasimman, learned counsel for the appellant, Mr.C.K.M.Appaji, learned counsel for the first respondent and Mr.Aayiram K.Selvakumar, learned Additional Government Pleader for the respondents 2, 3 and 5.

3. The appellant is the third respondent in the above writ petition. He filed a petition before the third respondent herein under the provisions of Tamil Nadu Maintenance and Welfare of Parents and Senior Citizens Rules. The case of the appellant is that he had established an Oil Mill in the name of Nagammal Oil Mills at Eraniel and he had handed over the management of the Mill and the income to the first respondent. The first respondent herein is his son. He was dispossessed during the year 2011 and also deprived of his income from the Oil Mill and he prayed for return of the Oil Mill along with the equipments. The third respondent allowed the application which was confirmed by the second respondent, who is the appellate authority. However, the learned single Judge set aside the order of the respondents 2 and 3. Challenging the same, the present appeal.

4. Mr.C.K.M.Appaji, learned counsel for the first respondent would state that the appellant died on 05.02.2018, during the pendency of the appeal and a copy of the death certificate is also produced.

5. In the light of the above fact, in our considered opinion that the writ appeal has become infructuous and hence, the same is dismissed as having become infructuous. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(Writs)

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To

1. The District Magistrate cum District Collector,
Kanyakumari District,
Nagercoil.

2. The Sub Divisional Magistrate
cum Revenue Divisional Officer,
Padmanabhapuram,
Kanyakumari District.

3. The State of Tamil Nadu,
represented by its Secretary,
Department of Social Welfare,
Secretariat,
Chennai -9.

4. The Secretary,
Ministry of Social Justice and Empowerment,
Shastri Bhavan,
Dr.Rajendra Prasad Road,
New Delhi 110 001.

+1 CC to M/s.C.K.M.APPAJI, Advocate in SR-58505

+1 CC to M/s.T.ASWIN RAJASIMMAN, Advocate in SR-59003

W.A.(MD).No.837 of 2017
02.04.2019

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