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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.11.2021

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.NO.13819 OF 2021

AND

W.M.P.NO.14678 OF 2021

M.Devarajan

... Petitioner

.Vs.

1. The District Collector,
Krishnagiri,
Krishnagiri District.

2. The Revenue Divisional Officer/
Sub Divisional Magistrate,
Hosur, Krishnagiri District.

3. The Sub Registrar,
O/o. Sub Registrar,
Hosur - 635 109,
Krishnagiri District.

4. D.Sukumar

... Respondents

PRAYER:- Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, forbearing the third respondent from entertaining any documents for registration at the instance of the fourth respondent in respect of the house site measuring 2100 sq.ft., comprised in S.No.90/4, Punugandoddi Village, Hosur Taluk, Krishnagiri District which is the subject matter of the proceedings before the respondents 1 and 2 under the maintenance and Welfare of Parents and Senior Citizens Act, 2007 by considering the petitioner's representation dated 19.04.2021.

For Petitioner : Mr.N.Manokaran

For Respondents : Mr.Yogesh Kannadasan
Special Government Pleader
(for R1 to R3)

Mr.S.C.Vishwanath (for R4)



ORDER

This writ petition is filed to issue a Writ of Mandamus, forbearing the third respondent from entertaining any documents for registration at the instance of the fourth respondent in respect of the house-site measuring 2100 sq.ft., comprised in S.No.90/4, Punugandoddi Village, Hosur Taluk, Krishnagiri District, which is the subject matter of the proceedings before the respondents 1 and 2 under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, by considering the petitioner's representation dated 19.04.2021.

2. The fourth respondent filed affidavit, which reads as follows:-

"1. I state that I am the deponent and 4th respondent herein as such I am well acquaintance with the facts and circumstances of swearing this affidavit.

2. I State that the petitioner is my father, had filed the present writ petition seeking direction to the Sub Registrar and other to forbear the respondents from entertaining any documents for registration at the instance of 4th respondent in respect to the house site measuring 2100 sq.ft comprised in S.No.90/4 Punugandoddi Village, Hosur Taluk, which is subject matter of the proceedings before the respondents 1 and 2 under the Maintenance and Welfare of Parents and Senior Citizen Act, 2007 and for consequential orders.

3. I state that though an appeal was preferred and pending before the respondents 1 and 2 with respect to the above said matter, the petitioner had filed the present writ petition on an imaginary and assumptive reasons and filed the present writ petition.

4. I further state that, though I had denied the allegations leveled against me in the writ petition, in order to put-forth my case, I undertakes before this Hon'ble Court that, I would not make any encumbrance with the property situated in respect to the house site measuring 2100 sq.ft comprised in S.No.90/4 Punugandoddi Village, Hosur Taluk, which is subject matter of the proceedings before the respondents 1 and 2 under the Maintenance and Welfare of Parents and Senior Citizen Act, 2007 and I am not taken or taking any steps to alienate or dispose the same.

5. I further state that, as a law abiding citizen, I am abide by the result of the appeal pending before the respondents 1 and 2 and work out my prescribed legal remedy in accordance with law."



3. Recording the said affidavit filed by the fourth respondent, this Writ Petition is closed. Consequently, the connected Miscellaneous Petition is closed. No costs.

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Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

kv

To

1. The District Collector,
Krishnagiri,
Krishnagiri District.
2. The Revenue Divisional Officer/
Sub Divisional Magistrate,
Hosur, Krishnagiri District.
3. The Sub Registrar,
O/o. Sub Registrar,
Hosur - 635 109,
Krishnagiri District.

+lcc to Mr.S.C.Vishwanath, Advocate, S.R.No.60608
+lcc to the Government Pleader, S.R.No.61109

W.P.NO.13819 OF 2021

NMI (CO)
PBS/07/12/2021