



W.P. No. 27977 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.11.2023

CORAM

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

W.P. No. 27977 of 2019

and

W.M.P. Nos. 6632 of 2021 and 75 of 2022

M.Palanisamy

... Petitioner

-VS-

The District Collector,
Tiruppur District,
Tiruppur.

... Respondent

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the Respondent to consider the representation of the Petitioner dated 05.08.2019 and declare the deed of settlement dated 14.09.2012 bearing Document No. 9426 of 2012 registered before the office of the Sub Registrar, Avinashi, Tiruppur District as void as contemplated under Section 23 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007.

For Petitioner

: Mr. P.Tamilavel

For Respondent

: Mr. U.Baranidharan,
Additional Government Pleader

ORDER



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Heard Mr. P.Tamilavel, Learned Counsel for the Petitioner and Mr. U.Baranidharan, Learned Additional Government Pleader appearing for the Respondent and perused the materials placed on record, apart from the pleadings of the parties.

2. The Writ Petition has been filed seeking a direction to the Respondent viz., the District Collector, Tiruppur, to consider the representation dated 05.08.2019 made by the Petitioner to declare the Settlement-Deed dated 14.09.2012 registered as Document No. 9426 of 2012 in the office of the Sub Registrar, Avinashi, Tiruppur District as void in the exercise of powers conferred by Section 23 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 (hereinafter referred to as 'the Act' for short).

3. It is pointed out by Learned Additional Government Pleader appearing for the Respondent that the jurisdictional Revenue Divisional Officer is 'the Maintenance Tribunal' constituted under Section 7 of the Act to entertain applications under Section 23 of the Act, and that the Petitioner has not made any such application to the Maintenance Tribunal till date.

4. In that backdrop, Learned Counsel for the Petitioner seeks permission of



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the Court to withdraw the Writ Petitioner reserving the right of the Petitioner to resort to the aforesaid procedure and he has made an endorsement to that effect in the court record.

In fine, the Writ Petition is dismissed as withdrawn with the aforesaid clarification. Consequently, the connected Miscellaneous Petitions are closed.
No costs.

09.11.2023

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Index: Yes/No

NCS : Yes

Note: Issue order copy by 31.01.2024.

To

The District Collector,
Tiruppur District,
Tiruppur.



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P.D. AUDIKESAVALU, J.

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