



WEB COPY



W.P. No. 606 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.03.2024

CORAM

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

W.P. No. 606 of 2024

and

W.M.P. No. 606 of 2024

M. Arumugam

... Petitioner

-VS-

1. The Tamil Nadu Maintenance and Welfare of Parents
and Senior Citizen Tribunal

Revenue Divisional Officer cum Presiding Officer,
Tiruchengodu – 637 211.

2. Velumani Raju

3. Arumuga Mohan

4. The District Collector,
Namakkal District.

(R4 is *suo motu* impleaded vide this order)

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Certiorarified Mandamus, calling for the records relating to the proceedings of the First Respondent made in Si. Pa. 176/2023/Si dated 06.07.2023 quash the same and direct the First Respondent to pass appropriate order under Section 23 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 to declare the Settlement Deed dated 09.10.2019 bearing Doc.No. 3368/2019 registered in the office of SRO, Paramathivellur relating to schedule mentioned property.



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For Petitioner : Mr. S.Elamurugan

For Respondents : Mr. S.J. Mohamed Sathik,
Government Advocate (for R1 & R4)

Mr. R.Ezhilarasan (for R2)

Mr. M.Devaraj (for R3)

ORDER

Heard S.Elamurugan, Learned Counsel for the Petitioner and Mr. S.J. Mohamed Sathik, Learned Government Advocate appearing for the First and Fourth Respondents, Mr. R.Ezhilarasan, Learned Counsel for the Second Respondent and Mr. M.Devaraj, Learned Counsel for the Third Respondent for the Respondent and perused the materials placed on record, apart from the pleadings of the parties.

2. Learned Counsel for the Petitioner submits that though the Writ Petition has been filed challenging the Order in Si. Pa. 176/2023/Si dated 06.07.2023 before the First Respondent, the Petitioner would be satisfied if the appeal filed by him against the impugned order, before the District Collector, Namakkal District, who is *suo motu* impleaded as the Fourth Respondent in the Writ Petition, is directed to be disposed expeditiously.



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3. Learned Government Advocate appearing for the First and Fourth Respondents, on instructions, states that the enquiry on the aforesaid appeal filed by the Petitioner has been fixed at 5.00 p.m. on 08.03.2024 before the Fourth Respondent and he has made an endorsement to that effect in the court record.

4. In such circumstances, it shall be incumbent upon the Fourth Respondent to send due notice to the Petitioner, the Second and Third Respondents and all other persons concerned to attend the hearing on the said date as well as on the subsequent dates to which it is adjourned and ensure that there are atleast two effective hearing every month showing progress of the case. After affording full opportunity of hearing to all parties concerned following the prescribed procedure in consonance with the principles of natural justice, the Fourth Respondent shall deal with each of the contentions raised and pass reasoned orders on merits and in accordance with law and communicate the decision taken to them under written acknowledgment. The report of such compliance shall be filed before the Registrar (Judicial) of the Court.



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In fine, the Writ Petition is disposed on the aforesaid observations.

Consequently, the connected Miscellaneous Petition is closed. No costs.

06.03.2024

Index: Yes/No

NCC: Yes/No

Note: Issue order copy by 17.04.2024.

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To

1. The Tamil Nadu Maintenance and Welfare of Parents
and Senior Citizen Tribunal
Revenue Divisional Officer cum Presiding Officer,
Tiruchengodu – 637 211.
2. The District Collector,
Namakkal District.

Copy to

The Registrar (Judicial),
Madras High Court,
Chennai – 600 104.



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P.D. AUDIKESAVALU, J.

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