



W.P.No.22977 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.08.2024

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.22977 of 2024

and

W.M.P.Nos. 25048 and 25050 of 2024

S.R.Booshanam

... Petitioner

Vs

1. The District Collector and District Magistrate,
Office of the District Collector,
62, Rajaji Salai,
Chennai – 600 001.
2. The Executive Magistrate and Revenue Divisional Officer,
Chennai District,
Chennai – 600 001.
3. The Sub Registrar,
Tambaram,
Chennai – 600 045.
4. Selvaraj
5. S.Amudha Ganesan
6. Praveena
7. A.Aksara



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8. Tributo Holdings Pvt Ltd.,
Rep.by its Director Gopalakrishna Shetty,
No. 3, Club Road, Chetpet,
Chennai – 600 031.

9. Huracan Holdings Pvt Ltd.,
Rep.by its Director Gopalakrishna Shetty,
No. 3, Club Road, Chetpet,
Chennai – 600 031.

10. Protfino Holding Pvt Ltd.,
Rep.by its Director Gopalakrishna Shetty,
No. 3, Club Road, Chetpet,
Chennai – 600 031.

11. K.Arul Mozhi

12. M.Akila

13. V.Arunalini

... Respondents

Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records on the files of the first respondent order dated 28.11.2023 bearing Ref. Se. Mu. Na. Ka. No. 3726/A1/2022 quash the same and consequently direct the third respondent to cancel the settlement deed dated 01.06.2007, registered as Document No. 5750 of 2007 executed by the petitioner in favour of the fourth and fifth respondents.

For Petitioner : Mr. T.Chandran



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For Respondents : Mr. P.Gurunathan,
Additional Government Pleader
(for R1 to R3)

Mrs. A.V.Bharathi (for R6 & R7)

ORDER

This Writ Petition has been filed challenging the order dated 28.11.2023 passed by the first respondent and to consequently direct the third respondent to cancel the settlement deed dated 01.06.2007, registered as Document No. 5750 of 2007, executed by the petitioner in favour of the fourth and fifth respondents.

2. On a perusal of the records, it is seen that the petitioner had executed a settlement deed in favour of the fourth and fifth respondents before the commencement of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 (hereinafter referred to as 'the Act' for short), i.e., on 29.09.2008. Therefore, the complaint itself under Section 23(1) of the Act cannot be maintainable. Hence, this Court finds no merits in this Writ Petition challenging the order impugned dated 28.11.2023, passed by the



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first respondent. However, the learned counsel for the petitioner seeks permission from this Court to withdraw this Writ Petition, and he has made an endorsement to that effect in the court record.

3. In view of the same, the Writ Petition is dismissed as withdrawn. No costs. Consequently, the connected WMPs are closed.

13.08.2024

Index:Yes/No
Neutral Citation/Yes/No
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To

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G.K.ILANTHIRAIYAN, J.

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