



WEB COPY



W.P. No. 24135 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.01.2024

CORAM

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

**W.P. No. 24135 of 2023
and
W.M.P. No. 23611 of 2023**

Jayabarathi

... Petitioner

-VS-

1. Parents and Senior Citizens Maintenance
Appellate Tribunal Officer cum
The District Collector, Tiruvallur,
O/o. The Parents and Senior Citizens Maintenance
Appellate Tribunal Officer cum
The District Collectorate, Tiruvallur,
Tiruvallur District.
2. Parents and Senior Citizens Maintenance
Tribunal Officer cum
The Revenue Divisional Officer, Tiruvallur,
O/o. The Parents and Senior Citizens Maintenance
Tribunal Officer cum
The Revenue Divisional Office, Kakkalur, Tiruvallur,
Tiruvallur District – 602003.
3. Mohana
4. Latha
5. V.Kalaivanan

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Certiorari, calling for the record of the First



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Respondent who is Parents and Senior Citizens Maintenance Appellate Tribunal Officer cum The District Collector, Tiruvallur in Se.Mu.Na.Ka. No. 1660/A1/2022 dated 16.05.2023 and quash the same.

For Petitioner : Mr. R.Esakkiraja

For Respondents : Mr. S.Arumugam
Government Advocate (for R1 & R2)

Mr. K.G.Kannan (for R3 to R5)

ORDER

Heard Mr. R.Esakkiraja, Learned Counsel for the Petitioner and Mr. S.Arumugam, Learned Government Advocate appearing for the First and Second Respondents and Mr. K.G.Kannan, Learned Counsel appearing for the Third to Fifth Respondents and perused the materials placed on record, apart from the pleadings of the parties.

2. The Third Respondent, who is a Senior Citizen, had made an application invoking Section 5 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 (hereinafter referred to as 'the Act' for short) claiming maintenance from the Petitioner and the Fourth and Fifth Respondents, who are her children, before the Second Respondent, who had granted such relief by



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Order No. Na. Ka. 40/ 2020/A1 dated 10.05.2022 and has been confirmed in appeal by Order in Se. Mu. Na. Ka. No. 1660/A1/2022 dated 16.05.2023 passed by the First Respondent. The said orders are challenged in this Writ Petition.

3. As the Writ Petition relates to *inter se* dispute between the family members, the matter was referred to mediation on 06.12.2023 and 18.12.2023 and it is informed in the report sent by the Tamil Nadu Mediation and Conciliation Centre that the parties could not arrive at any settlement. However, when the matter was thereafter referred to Lok Adalat conducted by the High Court Legal Services Committee, the Petitioner and the Third to Fifth Respondents have participated and entered into a memorandum of compromise dated 22.01.2024, which is annexed to this order and shall form part and parcel of it. It shall be obligation of the respective parties to carry out their respective obligations and in the event of any failure, the aggrieved parties are not precluded from working out their rights before the proper forum in the manner recognized by law.

4. In the result, the Writ Petition is disposed on the aforesaid terms. Consequently, the connected Miscellaneous Petition is closed. No costs.



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While concluding, this Court places on record the timely and strenuous efforts taken by Mrs. K.Sudha, Member-Secretary, High Court Legal Services Committee, Chennai in resolving the dispute between the family members to reach the amicable settlement.

22.01.2024

Index: Yes/No

NCC: Yes/No

Note: Issue order copy by 24.05.2024.

pal/Maya

To

1. Parents and Senior Citizens Maintenance
Appellate Tribunal Officer cum
The District Collector, Tiruvallur,
O/o. The Parents and Senior Citizens Maintenance
Appellate Tribunal Officer cum
The District Collector, Tiruvallur,
Tiruvallur District.
2. Parents and Senior Citizens Maintenance
Tribunal Officer cum
The Revenue Divisional Officer, Tiruvallur,
O/o. The Parents and Senior Citizens Maintenance
Tribunal Officer cum
The Revenue Divisional Office, Kakkalur, Tiruvallur,
Tiruvallur District – 602003.
3. Mrs. K.Sudha,
Member-Secretary,
High Court Legal Services Committee,
Madras High Court Campus,
Chennai – 600104.



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P.D. AUDIKESAVALU, J.

pal/Maya

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