



WEB COPY



W.P. No. 36001 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.01.2024

CORAM

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

W.P. No. 36001 of 2023

Sengoda Gounder

... Petitioner

-VS-

1. The District Collector,
Office of the Collectorate,
Kallakurichi District.
2. The Revenue Divisional Officer,
Office of the RDO,
Kallakurichi Taluk,
Kallakurichi District.
3. Aththayi

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the Second Respondent to dispose of the Petitioner's representation dated 18.10.2023 within a time may be stipulated by this Court.

For Petitioner : Ms. V.Ranjitha

For Respondents : Mr. B.Vijay,
Additional Government Pleader
(for R1 & R2)



W.P. No. 36001 of 2023

ORDER

WEB COPY

Heard Ms. V.Ranjitha, Learned Counsel for the Petitioner and Mr. B.Vijay, Learned Additional Government Pleader, who takes notice for the First and Second Respondents, and perused the materials placed on record, apart from the pleadings of the parties.

2. Having regard to the nature of order proposed to be passed in the Writ Petition, which would not cause any prejudice to the Third Respondent, notice to her is dispensed with.

3. The Petitioner, who is a Senior Citizen, had executed a settlement-deed dated 28.08.2008 registered as Document No. 3319 of 2008 in the office of the Sub-Registrar, Chinnasalem transferring his property in favour of the Third Respondent, who is his daughter. He had made a representation invoking Section 23 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 (hereinafter referred to as 'the Act' for short) for treating that settlement-deed as void before the Second Respondent, but it did not evoke any response, which has necessitated the filing of this Writ Petition.



W.P. No. 36001 of 2023

4. Learned Government Advocate appearing for the First Respondent has produced a copy of the final order in Na. Ka. No. A6/1761/2023 dated 04.01.2024 passed by the Second Respondent in the said proceedings after the filing of the Writ Petition and Learned Counsel for the Petitioner acknowledges receipt of its copy in Court today. In view of the subsequent events, Learned Counsel for the Petitioner seeks permission of the Court to withdraw the Writ Petition reserving the rights of the Petitioner, if he still has any further grievance, to work out his remedies before the proper forum in the manner recognized by law and she has made an endorsement to that effect in the court record.

In fine, the Writ Petition is disposed with the aforesaid observations. No costs.

05.01.2024

Index: Yes/No

NCC: Yes/No

Note: Issue order copy by 22.03.2024

vjt



W.P. No. 36001 of 2023

To

1. The District Collector,
Office of the Collectorate,
Kallakurichi District.
2. The Revenue Divisional Officer,
Office of the RDO,
Kallakurichi Taluk,
Kallakurichi District.



WEB COPY



W.P. No. 36001 of 2023

P.D. AUDIKESAVALU, J.

vjt

W.P. No. 36001 of 2023

05.01.2024