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W.P. No. 854 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.03.2024

CORAM

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

W.P. No. 854 of 2024

and

W.M.P. No. 868 of 2024

M.Poonurangam

... Petitioner

-VS-

1. The District Magistrate and District Collector
Chengalpattu District.

2. The Executive Magistrate
and Revenue Divisional Officer
Madurandagam RDO Office
Chengalpattu District.

3. The Sub Registrar Office
Acharapakkam
Chengalpattu District.

4. M.Saradhammal

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Certiorari, to call for the records of the First Respondent in his proceedings pertaining to the impugned order vide Na.Ka.No. 16109/2021/M.1 dated 20.05.2022, and quash the same.

For Petitioner : Mr. A.V.Arumugam

For Respondents : Mr. S.J.Mohamed Sathik,
Government Advocate (for R1 to R3)
Mr. T.Vijayan (for R4)



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ORDER

Heard Mr. A.V.Arumugam, Learned Counsel for the Petitioner, Mr. S.J.Mohamed Sathik, Learned Government Advocate appearing for the First and Second Respondents and Mr. T.Vijayan, Learned Counsel for the Fourth Respondent, and perused the materials placed on record, apart from the pleadings of the parties.

2. The Fourth Respondent, who is a Senior Citizen, had executed a settlement-deed dated 19.10.2015 registered as Document No. 6375 of 2015 in the office of the Sub-Registrar, Acharapakkam transferring her property in favour of the Petitioner, who is her son. The Fourth Respondent had made an application 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, who had declined to grant such relief and directed the Petitioner to pay a sum of Rs. 2,000/- every month towards maintenance to the Fourth Respondent by Order No. Ni. Mu. 3637/2020/A dated 04.08.2021, but on appeal preferred by the Fourth Respondent under Section 16 of the Act, the First Respondent by



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Order No. Na. Ka. 16109/2021/M1 dated 20.05.2022 granted such relief, which is 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 and the Petitioner and the Fourth Respondent had participated in it and have entered into a memorandum of settlement, 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.

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

11.03.2024

Index: Yes/No

NCC: Yes/No

Note: Issue order copy by 22.05.2024.

Maya



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To

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1. The District Magistrate and District Collector
Chengalpattu District.
2. The Executive Magistrate
and Revenue Divisional Officer
Madurandagam RDO Office
Chengalpattu District.
3. The Sub Registrar Office
Acharapakkam
Chengalpattu District.



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P.D. AUDIKESAVALU, J.

Maya

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