



W.P(MD)No.8208 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 01.04.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.8208 of 2024
and
W.M.P(MD)No.7414 of 2024

V.Muthukumar

... Petitioner

Vs.

1.The District Collector,
Tuticorin District.
(Appellate Tribunal under the Maintenance
and Welfare of Parents and
Senior Citizens Act, 2007).

2.The Revenue Divisional Officer,
Kovilpatti Division.
(Tribunal under the Maintenance and
Welfare of Parents and
Senior Citizens Act, 2007).

3.S.Muthulakshmi

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India,
praying this Court to issue a Writ of Certiorarified Mandamus, to call for
the records pertaining to the proceedings in Moo.Mu(C1)/e-198005/2022



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dated 7.12.2022 issued by the first respondent confirming the proceedings in Moo.Mu.Aa3/6689/2022 dated 03.08.2022 issued by the second respondent and quash the same consequently directing the respondents 1 and 2 to conduct a denovo enquiry under Section 23 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007.

For Petitioner : Mr.Tholgappian Ramaiah

For Respondents : Mr.K.Balasubramani
Special Government Pleader
for R.1 & R.2

ORDER

Heard the learned counsel appearing for the writ petitioner and the learned Special Government Pleader appearing for the respondents 1 and 2.

2.The petitioner is a pensioner. He is getting about Rs.41,522/- as pension. The petitioner had executed settlement deed dated 12.03.2014 in favour of his son Sannasi. The petitioner's son is no more. The petitioner subsequently filed petition for cancelling the document. The daughter-in-law was shown as the respondent. The authorities noted that there is no condition set out in the settlement deed as contemplated under



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Section 23 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007. The impugned orders cannot be faulted. Respectfully applying the ratio laid down by the Hon'ble Supreme Court of India in a decision reported in **2022 SCC OnLine SC 1684 (Sudesh Chhikara Vs. Ramti Devi & another)**, I sustain the impugned order and dismiss the writ petition.

3.This writ petition stands dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

01.04.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
MGA

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G.R.SWAMINATHAN, J.

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