



W.P(MD)No.17893 of 2021

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.03.2024

CORAM :

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P(MD)No.17893 of 2021

and

W.M.P(MD)No.14764 of 2021

A.Manoranjitham

... Petitioner

Vs.

1.The District Collector,
O/o.The District Collector,
Thoothukudi District,
Thoothukudi.

2.The Sub Collector,
O/o.The Sub Collector,
Thoothukudi District,
Thoothukudi.

3.Rebecca Joyes Swarna

... 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 impugned proceedings issued by the second respondent in Mu.Mu.B1/87/2020, dated 16.09.2020 and the impugned proceedings passed by the first respondent vide his proceedings No.Na.Ka.Ce/appeal No.4/2021, dated 17.08.2021 and quash the same and consequently,



W.P(MD)No.17893 of 2021

directing the respondents 1 and 2 cancel the gift deed made by the petitioner vide settlement deed No.1230/2019, dated 03.04.2019 in favour of the third respondent.

For Petitioner : Mr.C.Jeganathan

For Respondents : Mr.S.R.A.Ramachandran,
Additional Government Pleader, for R1 & R2.

: Mr.V.Rajiv Rufus, for R3.

ORDER

The Writ Petition has been filed seeking a Writ of Certiorarified Mandamus, to call for the impugned proceedings issued by the second respondent in Mu.Mu.B1/87/2020, dated 16.09.2020 and the impugned proceedings passed by the first respondent vide his proceedings No.Na.Ka.Ce/appeal No.4/2021, dated 17.08.2021 and quash the same and consequently, directing the respondents 1 and 2 cancel the gift deed made by the petitioner vide settlement deed No.1230/2019, dated 03.04.2019 in favour of the third respondent.

2. When the matter is taken up for hearing today, the learned counsel for the petitioner would submit that earlier the third respondent has filed a suit in O.S.No.7 of 2020 on the file of the District Munsif



W.P(MD)No.17893 of 2021

Court, Thoothukudi and the petitioner has filed a counter claim and the same are pending; that during the pendency of the Writ Petition, the petitioner has filed the suit in O.S.No.12 of 2022 and the same is pending on the file of the II Additional District Court, Thoothukudi and that he may be permitted to withdraw this Writ Petition giving liberty to workout his remedy on the suits pending before concerned Courts and he has also made an endorsement to that effect.

3. In view of the submission and the endorsement made by the learned counsel for the petitioner, the Writ Petition is dismissed as withdrawn with liberty to workout his remedy in pending suits before the concerned Courts. Consequently, connected Miscellaneous Petition is closed. No costs.

15.03.2024

NCC :Yes/No
Index :Yes/No
Internet : Yes/ No
das



WEB COPY



W.P(MD)No.17893 of 2021

To

- 1.The District Collector,
O/o.The District Collector,
Thoothukudi District,
Thoothukudi.
- 2.The Sub Collector,
O/o.The Sub Collector,
Thoothukudi District,
Thoothukudi.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



W.P(MD)No.17893 of 2021

K.MURALI SHANKAR, J

das

Order made in
W.P(MD)No.17893 of 2021
and
W.M.P(MD)No.14764 of 2021

Dated : 15.03.2024