

Solly vs Maintenance Tribunal/Revenue Divisional Officer

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Court : Kerala

Decided On : Aug-24-2021

Judge : Honourable Mr. Justice Devan Ramachandran

Appeal No. : WP(C)/7744/2021

Appellant : SOLLY

Respondent : Maintenance Tribunal/Revenue Divisional Officer

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE DEVAN
RAMACHANDRAN TUESDAY, THE 24TH DAY OF AUGUST 2021 /
2ND BHADRA, 1943 WP(C) NO. 7744 OF 2021

PETITIONERS: 1 SOLLY AGED 47 YEARS W/O.LATE LANDOOSE,
THOPPIL HOUSE, KOKKAPPILLY, 2 MARIA LANDOOSE AGED 18
YEARS D/O.LATE LANDOOSE, THOPPIL HOUSE, KOKKAPPILLY, BY
ADVS. JOJI GEORGE JACOB SRI.RAAJESH S.SUBRAHMANIAN
RESPONDENTS: 1 MAINTENANCE TRIBUNAL/REVENUE
DIVISIONAL OFFICER MUVATTUPUZHA, MUVATTUPUZHA,
ERNAKULAM 686 673. 2 STATION HOUSE OFFICER
CHOTTANIKKARA POLICE STATION, CHOTTANIKKARA,

ERNAKULAM DISTRICT 682 312. 3 T.P.DAVID THOPPIL HOUSE, KOKKAPPILLY P.O., THIRUVANIYOOR, ERNAKULAM DISTRICT 682 308. BY ADVS. SRI. BIMAL K.NATH, SR.GP SRI.GEORGE SEBASTIAN THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 24.08.2021, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

This writ petition has been filed by the petitioners impugning Ext.P4 order issued by the Presiding Officer of the Maintenance Tribunal, constituted under the provisions of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007.

2. However, I notice that the Senior Citizen in

question has filed W.P.(C).No.15308 of 2021, impugning the appellate order issued by the District Collector over the afore order of the Maintenance Tribunal and that the same has been produced therein as Ext.P9. Obviously, therefore, the challenge to Ext.P4 in this writ petition would be of no consequence because it has now merged with the order of the Appellate Tribunal, which has been produced as Ext.P9 in W.P.(C).No.15308 of 2021. In the above circumstances, I close this writ petition, leaving open all contentions to be pursued by the petitioner, while W.P.(C).No.15308 of 2021 is heard and disposed of. Sd/- DEVAN RAMACHANDRAN, JUDGE ww APPENDIX OF WP(C) 7744/2021 EXHIBIT P1 TRUE PHOTOCOPY OF THE APPLICATION DATED 17/3/2020 PREFERRED BY THE 3RD RESPONDENT BEFORE THE TRIBUNAL. EXHIBIT P2 TRUE PHOTOCOPY OF THE APPLICATION DATED 13/1/2021 IN MP NO.47/2020 (A10- EXHIBIT P3 TRUE PHOTOCOPY OF THE OBJECTION DATED 20.1.2021 FILED BY THE 1ST PETITIONER. EXHIBIT P4 TRUE PHOTOCOPY OF THE ORDER DATED 25.1.2021 IN MP NO.47/2020 (A10- TRIBUNAL. EXHIBIT R3(A) TRUE COPY OF THE ORDER BEARING NO.3243/2011 DATED 21.06.2011 OF PUTHENKURISH SUB REGISTRY. EXHIBIT R3(B) TRUE COPY OF THE MEMORANDUM OF APPEAL DATED 12.02.2021 SUBMITTED BY THE 3RD RESPONDENT BEFORE THE DISTRICT COLLECTOR, ERNAKULAM. EXHIBIT

R3(C) TRUE COPY OF THE JUDGMENT DATED 08.03.2021 IN W.P.(C) NO.5726/2021 BEFORE THIS HON'BLE COURT. EXHIBIT R3(D) TRUE COPY OF THE DOCUMENT BEARING NO.6321/2007 OF PUTHENCROUZ SRO DATED 28.07.2007.

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