



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE PARESH UPADHYAY

and

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

WEB COPY

W.A(MD)No.337 of 2022
and C.M.P. (MD) No.3380 of 2022

Vasudevan

.. Appellant/3rd Respondent

Vs

1.The Superintendent of Police,
Thanjavur,
Thanjavur District.

2.The Inspector of Police,
Tamil Nadu University Police Station,
Thanjavur District.

.. Respondents 1 & 2/

Respondents 1 & 2

3.Krishnamoorthy

.. 3rd Respondent/Petitioner

PRAYER: Writ Appeal filed under Clause 15 of the Letters Patent against the order dated 10.03.2022 made in W.P.(MD) No. 2158 of 2022.

Prayer in WP(MD) . 2158/ 2022 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue WRIT OF MANDAMUS directing the respondents No.1 to direct the 2nd respondent to take the possession and enjoyment of the upstairs House (1st Floor) property in D.No. 95, Palaniyappa Nagar, Naanjikottai Road, Thanjavur from the custody of the 3rd respondent and handover to the petitioner as per the order in 7100/2018/A3 dated 03.10.2020 of the RDO, Thanjavur Under Section 6(6) The Maintenance and Welfare of Parents and Senior Citizens Act, 2007 confirmed by the District Collector, Thanjavur in Na.Ka.No.31556/2021/G2 dated 09.08.2021 by considering the petitioners representation dated 08.03.2021, within the period stipulated by this Honble Court

For Appellant : Mr.P.Mani Anandh

For Respondents : Mr.K.Balasubramani
Special Government Pleader
for R1 & R2

No appearance for R3



JUDGMENT

[Delivered by R.VIJAYAKUMAR, J.]

The writ petition was filed seeking a mandamus to implement the order passed under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007. The writ petition was allowed by learned Single Judge, directing his son to vacate the premises. The said order is challenged by the third respondent / son in the writ petition.

2. Learned counsel for the appellant submits that, pending the writ appeal, the appellant has already vacated the premises and handed over vacant possession to the third respondent herein. His statement is recorded.

3. Learned counsel for the appellant seeks permission of this Court to withdraw the writ appeal and he has made an endorsement to that effect.

4. Based upon the endorsement made, this writ appeal is dismissed as withdrawn. No costs. Consequently, connected miscellaneous petition would not survive.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

pkn/3

To

1.The Superintendent of Police,
Thanjavur,
Thanjavur District.

2.The Inspector of Police,
Tamil Nadu University Police Station,
Thanjavur District.

+1 CC to M/s.SPL.GP. (SR-19157[F] dated 18/04/2022)

W.A(MD)No.337 of 2022
13.04.2022

SG(CO)
KB(27.04.2022) 2P 4C