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W.P. No. 30793 of 2022

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 06.03.2024**

**CORAM**

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

**W.P. No. 30793 of 2022**

**and**

**W.M.P. No. 30224 of 2022**

M.Viswanathan

... Petitioner

-VS-

1. The Appellate Tribunal-cum-District Collector,  
Vellore District,  
Vellore.
2. The District Registrar,  
Vellore District,  
Vellore.
3. The Sub-Registrar,  
Katpadi SRO,  
Vellore District.
4. The Maintenance Tribunal-cum-Revenue Divisional Officer,  
Vellore.
5. The Tahsildar,  
Katpadi Taluk,  
Vellore District.
6. Munusamy
7. Rajan

... Respondents

**Prayer:-** Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned communication of the Second Respondent



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dated 10.10.2022 and to quash the same and consequently direct the Third Respondent to remove the encumbrance created under the caption of "Court Attachment Orders" of the Appellate Tribunal / District Collector" under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007.

For Petitioner : Mr. C.Prabakaran

For Respondents : Mr. S.J.Mohamed Sathik  
Government Advocate (for R1 to R5)

Mr. R.Rajarajan (for R6 & R7)

## ORDER

Heard Mr. C.Prabakaran, Learned Counsel for the Petitioner, Mr. S.J.Mohamed Sathik, Learned Government appearing for the First to Fifth Respondents and Mr. R.Rajarajan, Learned Counsel appearing for the Sixth and Seventh Respondents and perused the materials placed on record, apart from the pleadings of the parties.

2. The First Respondent by Order No. Pa. Mu. D3/2586/2022 dated 25.08.2022 treated the settlement-deed dated 23.09.2009 registered as Document No. 7667 of 2009, settlement-deed dated 26.03.2010 registered as Document No. 2704 of 2010 and settlement-deed dated 01.03.2019 registered as Document No. 1752 of 2019 in the office of the Sub-Registrar, Katpadi



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executed by the Sixth Respondent transferring his property in favour of the Petitioner as void in the exercise of powers under Section 23 of the Maintenance and Welfare of the Parents and Senior Citizens Act, 2007, which has been challenged by the Petitioner in W.P. No. 24751 of 2022 before this Court.

3. This Court by separate order dated 06.03.2024 (today) in W.P. No. 24751 of 2023 has set aside the Order No. Pa. Mu. D3/2586/2022 dated 25.08.2022 passed by the First Respondent. In such circumstances, Learned Counsel for the Petitioner seeks permission of the Court to withdraw the Writ Petition. He has also made an endorsement to that effect in the court record.

In view of the same, the Writ Petition is dismissed as withdrawn. Consequently, the connected Miscellaneous Petition is closed. No costs.

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Index: Yes/No  
NCC: Yes/No

**Note: Issue order copy by 17.04.2024.**

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To

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1. The Appellate Tribunal-cum-District Collector,  
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**P.D. AUDIKESAVALU, J.**

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