

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.07.2018

CORAM:

THE HON'BLE MR. JUSTICE T.RAJA

W.P.No.15237 of 2018

T.D.Srinivasan

.. Petitioner

Vs

1. The Commissioner,
Hindu Religious and Charitable Endowment
Administration Department,
Nungambakkam, Chennai - 34.
2. The Joint Commissioner (Admin.),
Hindu Religious and Charitable Endowment
Administration Department,
Nungambakkam, Chennai - 34.
3. The Executive Officer,
A/m.Selvavinayagar/Kodhanda Ramar Temple,
West Tambaram, Chennai - 45.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking a writ of certiorarified mandamus to call for the records of the third respondent pertaining to the Notice dated 26.02.2018 and quash the same and direct the second respondent to furnish the copy the proceedings in Na.Ka.No.2003/2017/A3, dated 13.03.2017.

For petitioner : Mr.B.Sivakumar
For Respondents : Mr.M.Maharaja, Spl.GP

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O R D E R

This writ petition has been filed challenging the impugned notice dated 26.02.2018 of the third respondent / the Executive Officer, West Tambaram, Chennai-45, calling upon the petitioner to pay the arrears of rent amounting to Rs.1,94,931/-.

2. Heard both sides.

3. It is seen that when a similar notice dated 26.02.2018 issued by the very same authority in respect of other shops was put to challenge, this Court, in its order dated 09.04.2018, passed in W.P.Nos.8253 to 8257 of 2018, refused to entertain the writ petition directing the writ petitioners therein to avail the remedy available under Section 34-A(3) of the Tamil Nadu Hindu Religious and Charitable Endowments Act. Relevant portion of the said judgment is extracted below:-

"4. This Court also finds that the petitioners have got a better, effective and efficacious remedy as against the impugned proceedings before the first respondent. Therefore, this Court is not inclined to entertain the writ petitions. Accordingly, the writ petitions are dismissed to avail the remedy under Section 34-A(3) of the Tamil Nadu Hindu Religious and Charitable Endowments Act before the first respondent. Consequently, W.M.P.Nos.10215 to 10219 of 2018 are also dismissed. No Costs."

4. In view of the above, this Court is not inclined to entertain the present writ petition challenging the very same impugned Notice dated 26.02.2018. Accordingly, the writ petition fails and it is dismissed. No Costs. WMP.No.18064 of 2018 is closed.

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

rkm

To

1.The Commissioner,
Hindu Religious and Charitable Endowment
Administration Department,
Nungambakkam, Chennai - 34.

2.The Joint Commissioner (Admin.),
Hindu Religious and Charitable Endowment
Administration Department,
Nungambakkam, Chennai - 34.

+1cc to Mr.B.Sivakumar, Advocate, S.R.No. 43998.

W.P.No.15237 of 2018

BM 24/07/2018.