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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 20.12.2019

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THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

W.P.No.35103 of 2019

and

W.M.P.No.35896 of 2019

R.Selvaganesh

...Petitioner

..Vs..

1.The Commissioner,
Hindu Religious & Charitable
Endowment Department,
No.119, Uthamar Gandhi Salai,
Thousand Lights West,
Nungambakkam, Chennai,
Tamil Nadu - 600034.

2.The Joint Commissioner,
Hindu Religious & Charitable
Endowment Department,
No.119, Uthamar Gandhi Salai,
Thousand Lights West,
Nungambakkam, Chennai,
Tamil Nadu - 600034.

3.The Assistant Commissioner,
Hindu Religious & Charitable
Endowment Department,
No.119, Uthamar Gandhi Salai,
Thousand Lights West,
Nungambakkam, Chennai,
Tamil Nadu - 600034.

4.The Executive Officer,
Arulmigu Sundara Vinayagar
Thulukaanathamman Thirukoil,
Triplicane, Chennai - 600005.

...Respondents

PRAYER: Writ Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 1st respondent to take on record the unnumbered Revision Petition and its connected miscellaneous applications filed by the petitioner, on the file of the 1st respondent.



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For Petitioner : Mrs.K.Subhashri
for Chennai Law Associates

For Respondents : Mr.M.Maharaja
HR & CE Dept

O R D E R

Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents.

2.The petitioner herein had filed a Revision Petition before the Commissioner, HR & CE Department, who is the first respondent herein. It is stated that the demand was raised originally for Rs.10,07,000/-, being arrears in rent and the petitioner claims that Rs.8,30,000/- has been paid and the details has been submitted to this Court in a statement of accounts. It is stated that subsequently, the rent has been fixed at Rs.33,610/- per month and on that basis, the arrears comes to around Rs.15,00,000/-.

3.The learned counsel for the petitioner has produced two Demand Drafts dated 16.12.2019, (1) From Karur Vysya Bank bearing Cheque No.776943 and (2) From Indian Bank bearing Cheque No.514253, for a sum of Rs.4,00,000/- each, in favour of Arulmigu Sundara Vinayagar Thulukkanaththaman Thirukoil, which has now been handed over before this Court to the learned counsel for the respondents, who also acknowledges receipt of the same.

4.In view of this tender, which covers about 50% of their demand, the first respondent is directed to condone the delay in filing the Revision Petition and take the Revision Petition, which has been presented before the said Officer on 11.12.2019, if it is otherwise in order and proceed to hear the same and pass orders in accordance with law.

5.The learned Special Government Pleader appearing for the respondents insisted that there should be a direction to the petitioner to continue to pay the monthly rent of Rs.33,640 as stipulated.

6.The learned counsel for the petitioner undertakes to instruct the petitioner to pay the said sum.

7.In view of the above, there shall be a direction as against the petitioner herein to continue to pay a sum of Rs.33,610/- every month without fail to the fourth respondent herein.



8.The Writ Petition stands disposed of with the above directions. No costs. No costs. Consequently, connected miscellaneous petition is closed.

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Sd/-
Assistant Registrar(J)

//True copy//

Sub Assistant Registrar

hvk

To

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+2cc to M/s.Chennai Law Associates, Advocate SR.No.106673

W.P.No.35103 of 2019
and
W.M.P.No.35896 of 2019

GMV(08/01/2020)