



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.02.2022

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

Writ Petition No.3537 of 2022

K.Vaidyanathan

.. Petitioner

Vs.

1.The Commissioner
Hindu Religious and Charitable
Endowments Department
No.119, Uthamar Gandhi salai
Nungambakkam, Chennai-600 034.

2.Dr.D.Chandrasekaran
Managing Trustee
A/M.Sri Sivasubramaniaswami Thirukkoil
Melpattambakkam-607 104.
Panruti Taluk, Cuddalore District.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the respondents to recognise the petitioner as tenant of shop No.6 as per law by considering the representation dated 07.01.2022 given by the petitioner.

For Petitioner : Mr.R.Nasurulla
for Mr.D.Baskar

For Respondents: Mr.S.Yashwanth
Additional Government Pleader
(HR & CE)

O R D E R

Writ Petition is filed for issuance of a Writ of Mandamus directing the respondents to recognise the petitioner as tenant of shop No.6 as per law by considering the petitioner's representation dated 07.01.2022.

2.Heard the learned counsel appearing for the petitioner as well as Mr.S.Yashwanth, learned Additional Government Pleader, who takes notice for the respondents.



3.Mr.S.Yashwant, the learned Additional Government Pleader appearing for the respondents on instructions, submitted that originally, the lease was given to the father of the petitioner, it has expired in the year 2014 and without handing over vacant possession, the petitioner, the son of original lessee is in occupation of the shop. The 2nd respondent is going to lease out the said shop by conducting public auction and therefore, it is not possible to recognise the petitioner as tenant.

4.In view of the above submissions, the Writ Petition stands dismissed. It is open to the petitioner to participate in the public auction, if any conducted. No costs.

Sd/-
Assistant Registrar(CS-IX)

//True Copy//

Sub Assistant Registrar

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To

1.The Commissioner
Hindu Religious and Charitable
Endowments Department
No.119, Uthamar Gandhi salai
Nungambakkam, Chennai-600 034.

+1cc to the Special Government Pleader(HR & CE), S.R.No.12138

W.P.No.3537 of 2022

SV(CO)
SB(14/03/2022)