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W.P.Nos.8075 & 8076 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.12.2022

CORAM

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

W.P.Nos. 8075 & 8076 of 2015
and M.P.Nos.1 & 2 of 2015(2 petitions)

Paramasivam

.. Petitioner in W.P.No.8075 of 2015

M.Subramanian

.. Petitioner in W.P.No.8076 of 2015

Versus

1. The Commissioner

Hindu Religious & Charitable Endowment Department

No.119, Uttamar Gandhi Salai

Chennai - 34

2.The Joint Commissioner

Hindu Religious & Charitable Endowment Department

No.119, Uttamar Gandhi Salai

Chennai - 34

3.The Deputy Commissioner/Executive Officer

Arulmigu Kabaleeswarar Temple

Mylapore, Chennai – 600 014

4.The Assistant Commissioner

HR&CE Department, Chennai – 600 034

5.M/s.Janarthana Charitable Trust

Rep by its Managing Trustee

No.14, Luz Church Road

1/5



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Mylapore, Chennai – 600 004

.. Respondents in all cases

Common Prayer: Writ Petitions filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records from the first respondent and quash the impugned Order passed by the 1st respondent / the Commissioner / HR & CE Department, in R.P.Nos.9 & 10/2015 dated 26.02.2015 and consequently directing the 1st respondent to execute the lease deed in favor of the petitioner at the prevailing market rate and the guideline value.

For Petitioners : Mr.P.Manikannan (in both cases)
(No appearance)

For Respondents : Mr.M.Rajendran for R1, 2 & R4 (in all cases)
Additional Government Pleader
Mrs.Usha Tholgappain for R3
No appearance for R5

COMMON ORDER

These writ petitions are filed challenging the Orders of the first respondent and quash the impugned Orders in R.P.Nos.9 & 10/2015 dated 26.02.2015 and consequently direct the 1st respondent to execute the lease deed in favor of the petitioner at the prevailing market rate and the guideline value.

2. The learned counsel for the third respondent submitted that the second respondent vide proceedings in Se.Mu.Na.Ka.No.14923/2013/E1 dated 20.10.2014 and Se.Mu.Na.Ka.No.14913/2013/E1 dated 24.11.2014



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evicted the respective petitioners from their encroachments in the temple lands and the same was remitted to the Temple. Further submitted that since the petitioners are evicted from their encroachments in the temple lands, nothing survives for adjudication in these writ petitions. She also filed a report to that effect which shall form part of the record.

3. Such view of the matter, these writ petition stands dismissed as having become infructuous. No costs. Consequently, connected miscellaneous petitions are closed.

15.12.2022

dhk

Speaking Order : Yes / No

To

1. The Commissioner
Hindu Religious & Charitable Endowment Department
No.119, Uttamar Gandhi Salai
Chennai - 34

2. The Joint Commissioner
Hindu Religious & Charitable Endowment Department
No.119, Uttamar Gandhi Salai
Chennai - 34

3. The Deputy Commissioner/Executive Officer

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N.SATHISH KUMAR, J.

dhk

4.The Assistant Commissioner
HR&CE Department, Chennai – 600 034

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