



W.P.No.9680of2015

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

**DATED: 21.12.2022**

**CORAM:**

**THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR**

**W.P.Nos.9680,9681,9682,9683 and 9684 of 2015**

**&**

**M.P.Nos.1,1,1 and 1 of 2015**

|                   |                                      |
|-------------------|--------------------------------------|
| S.Hariparanthaman | ...Petitioner in W.P.No.9680 of 2015 |
| D.Baskar          | ...Petitioner in W.P.No.9681 of 2015 |
| A.Baskar          | ...Petitioner in W.P.No.9682 of 2015 |
| Velmuthu          | ...Petitioner in W.P.No.9683 of 2015 |
| N.Viswanathan     | ...Petitioner in W.P.No.9684 of 2015 |

**Vs.**

1.The Commissioner  
Hindu Religious & Charitable Endowment Department  
Nungambakkam  
Chennai-600 034

2.The Joint Commissioner  
Hindu Religious & Charitable Endowment Department  
Vellore, Vellore District

3.The Assistant Commissioner  
Hindu Religious & Charitable Endowment Department



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Kancheepuram, Kancheepuram District

4.The Executive Officer

Arulmighu Thirukachi Nambigal

Varadharaja Perumal Thirukoil

Poonamallee, Thiruvallur District

... Respondents

**COMMON PRAYER:** Writ petitions filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified mandamus to call for the records of the 1<sup>st</sup> respondent pertaining to NA.Ka.No.5713520148R2 dated 28.01.2015 quash the same and direct the respondents to reconsider the entire matter relating to regularisation of lease or preferential allotment of shops as per law.

For Petitioner : Mr.V.Raghupathi

For Respondents : Mr.N.R.R.Arun Natarajan, Spl.G.P (HR&CE)  
for R1 to R3

Mr.A.K.Sriram  
for  
M/s.A.S.Kailasam Associates for R4

### **COMMON ORDER**

The Writ Petitions are filed challenging the order dated 28.01.2015, rejecting the representations of the petitioners to regularize their tenancy.

2. It is not in dispute that fair rent proceedings have reached finality and eviction is also not challenged and reached finality. Thereafter, it appears



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that the petitioners have given a representation which is rejected and the same has been challenged.

3. Today, the learned counsel appearing for the petitioners filed affidavits of the petitioners indicating that they are willing to pay Rs.4,00,000/- each within three months and thereafter they will vacate the premises within one month.

4. Though in the affidavit sought time for two years, learned counsel appearing for the petitioners would submit that the amount will be paid within three months and if another one month time is granted they will vacate the premises.

5. Whereas the learned Special Government Pleader (HR&CE) appearing for the respondents 1 to 3 would submit that there are huge arrears and the same has to be recovered. It is well open to the respondents to recover the arrears in the manner known to law.



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6. In view of the affidavits filed before this Court, the petitioners are granted three months time to pay Rs.4,00,000/- each without fail to the respondents. Thereafter, one month time to vacate the premises. If the petitioners act against the undertaking the proceedings for contempt will be initiated for violating the undertaking.

7. In such view of the matter, the eviction proceedings has reached finality. The previous Writ Petitions W.P.Nos.29970 to 29979 of 2012 dismissed by order dated 06.11.2012 and W.P.No.35398 to 35408 of 2013 dismissed by order dated 05.09.2014 and the matter has reached finality, the petitioners cannot squat on the property one way or the other filing the Writ Petitions. Accordingly, these Writ Petitions are dismissed granting four months time and they shall make payment of Rs.4,00,000/- each within three months and thereafter within one month to vacate the premises.

8. It is open to the respondents to recover the arrears if any as per law from the Writ Petitioners and it is also made clear that if the petitioners go against the affidavits filed before this Court, action will be initiated for Contempt of this Court order.



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**WEB COPY** 9. With the above observations, these Writ Petitions are dismissed.

There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

**21.12.2022**

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**Note: Issue order copy on 23.12.2022**

Internet: Yes

Speaking/non-speaking order

To

1. The Commissioner

Hindu Religious & Charitable Endowment Department

Nungambakkam

Chennai-600 034

2. The Joint Commissioner

Hindu Religious & Charitable Endowment Department

Vellore, Vellore District

3. The Assistant Commissioner

Hindu Religious & Charitable Endowment Department

Kancheepuram, Kancheepuram District

4. The Executive Officer

Arulmighu Thirukachi Nambigal

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**N. SATHISH KUMAR, J.**

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