



WP.No.32527 of 2014

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

**DATED: 09.12.2022**

**CORAM:**

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

**W.P.No.32527 of 2014**

**M.P.No.1 of 2014 & WMP.No.5951 of 2020**

B.Rathinam

... Petitioner

Vs

1. The District Collector,  
Villupuram District, Villupuram.
  2. The Revenue Divisional Officer,  
Villupuram, Villupuram District.
  3. The Tahsildar,  
Villupuram, Villupuram District.
  4. The Joint Commissioner,  
Hindu Religious and Charitable Endowment Department,  
Villupuram District, Villupuram.
  5. The Management of Sri Anjaneya Swamy Thiru Koi,  
Rep. by its Hereditary Trustee,  
Thiru Vi.Ka. Veethi, Villupuram.
  6. The Executive Officer,  
Sri Anjaneyaswamy Thirukoil,  
Thiru Vi.ka Veethi, Villupuram.
- ... Respondents

**Prayer :-** Writ Petition filed under the Article 226 of Constitution of India,



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to issue a Writ of Mandamus directing the respondents to restore the Cycle Repair Shop at No.141, Thiru. Vee. Ka. Veethi, Villupuram Town constructed in S.No.40 [R.S.No.453/1A] Thiru Vee.Ka.Veethi, Villupuram Taluk & District to an extent of 140 sq.ft. and consequently forbearing the respondents from interfering with running of shop by the petitioner in the said premises.

For Petitioner : No appearance

For Respondents : Mr.K.Karthikeyan  
Government Advocate – R1 to R4 & R6

Mr.N.Suresh – R5

### **ORDER**

This Writ Petition has been filed to direct the respondents to restore the Cycle Repair Shop at No.141, Thiru. Vee. Ka. Veethi, Villupuram Town constructed in S.No.40 [R.S.No.453/1A] Thiru Vee.Ka.Veethi, Villupuram Taluk & District to an extent of 140 sq.ft. and consequently forbear the respondents from interfering with running of shop by the petitioner in the said premises.



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2. When the matter is taken up today, the learned Government Advocate appearing for the respondents submitted that as the petitioner failed to pay the rent fixed by the Hindu Religious and Charitable Endowment Department, the notice has been sent to the petitioners under section 78 of the Hindu Religious and Charitable Endowments Act and subsequently, enquiry has been conducted and thereafter, proceedings under section 78 of the Tamil Nadu Hindu Religious and Charitable Endowments Act has been concluded and final Order has also been passed for evicting the petitioner.

3. It is to be noted that the petitioner has failed to pay the rent fixed by the Hindu Religious and Charitable Endowment Department and hence, proceedings under section 78 of the Tamil Nadu Hindu Religious and Charitable Endowments Act has been initiated and eviction has been Ordered against the petitioner. In such view of the matter, having defaulted in paying rent fixed by the respondents and after Order of eviction, the petitioner now cannot seek to restore his possession. Hence, nothing survives for adjudication in this Writ Petition.



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4. Accordingly, this Writ Petition is dismissed as infructuous.

Consequently, connected miscellaneous petitions are closed. No costs.

**09.12.2022**

vrc

To

1. The District Collector,  
Villupuram District, Villupuram.
2. The Revenue Divisional Officer,  
Villupuram, Villupuram District.
3. The Tahsildar,  
Villupuram, Villupuram District.
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**N.SATHISH KUMAR, J.**

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