



WEB COPY



W.P. No. 31247 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.12.2022

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 31247 of 2022

S.Duraikannu

... Petitioner

-VS-

1. The Commissioner,
Hindu Religious and Charitable Endowment Department,
Nungambakkam,
Chennai – 600 034.
2. The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
Nungambakkam,
Chennai – 600 034.
3. The Assistant Commissioner,
Hindu Religious and Charitable Endowment Department,
Nungambakkam,
Chennai – 600 034.
4. The Executive Officer,
Arulmigu Aranganaswamy Thiukoil,
No. 48, Mulla Street,
Chennai – 600 079.
5. Kusmakumari
6. Mohan Lal

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the Fourth Respondent to de-seal and open the lock of the canteen situated at No. 10, Aathiyappan Street,



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Chennai – 600001 and consequentially direct the First to Fourth Respondents to consider the representation dated 09.11.2022 made by the Petitioner.

For Petitioner : Mr. S.Sabarish

For Respondents : Mr. N.R.R.Arun Natarajan,
Special Government Pleader

ORDER

Heard Mr. S.Sabarish, Learned Counsel for the Petitioner and Mr. N.R.R.Arun Natarajan, Learned Special Government Pleader appearing for the Respondents and perused the materials placed on record, apart from the pleadings of the parties.

2. The Writ Petition has been filed for directing the Fourth Respondent to de-seal and open the lock of the canteen situated at No. 10, Aathiyappan Street, Chennai – 600001 and to consequently direct the First to Fourth Respondents to consider the representation dated 09.11.2022 made by the Petitioner to treat him as tenant of that premises on payment of arrears of rent. However, Learned Counsel for the Petitioner now states that the Petitioner would prefer to vacate from that premises and seeks permission of the Court to withdraw the Writ Petition and he has filed an affidavit dated 02.12.2022 to that effect, which is placed on record.



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3. In response to the fervent plea made by Learned Counsel for the Petitioner that the Petitioner may be allowed to remove his belongings and other articles from the sealed premises, Learned Special Government Pleader appearing for the Respondents, on instructions, states that the needful would be done, if any written requisition is made by the Petitioner in that regard, which shall be without prejudice to the rights of the Fourth Respondent to recover any amount due from the Petitioner in the manner recognized by law.

In fine, the Writ Petition is dismissed as withdrawn with the aforesaid clarification. No costs.

02.12.2022

vjt

Index: Yes/No

Note: Issue order copy by 21.12.2022.

To

1. The Commissioner,
Hindu Religious and Charitable Endowment Department,
Nungambakkam,
Chennai – 600 034.
2. The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
Nungambakkam,
Chennai – 600 034.



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3. The Assistant Commissioner,
Hindu Religious and Charitable Endowment Department,
Nungambakkam,
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4. The Executive Officer,
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P.D. AUDIKESAVALU, J.

vjt

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