



WEB COPY



Writ Petition No.3977 of 2023

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

Dated: 13/2/2023

C O R A M

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

**Writ Petition No.3977 of 2023**

**a n d**

**W.M.P.Nos.4036 and 4038 of 2023**

L. Purushothaman

...

Petitioner

Vs

1. The Commissioner  
Hindu Religious and Charitable  
Endowments Department  
119 Uthamar Gandhi Road, Thousand Lights West  
Nungambakkam  
Chennai 600 034.
2. The Joint Commissioner  
Hindu Religious and Charitable  
Endowments Department  
Division – 1, 127 Yadaval Street, Padi  
Chennai 600 050.
3. The Assistant Commissioner  
Hindu Religious and Charitable  
Endowments Department  
127 Yadaval Street, Padi  
Chennai 600 050.
4. The Executive Officer  
A/m. Sowmiya Dhamodhara Perumal Temple  
Villivakkam  
Chennai 600 050.

...

Respondents



Writ Petition No.3977 of 2023

**PRAYER :** Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus to forbear the fourth respondent from dispossessing or evicting the petitioner from the premises at Door No.1 A, Perumal Koil Tank Street, Villivakkam, Chennai 49 having an extent of 100 Sq.feet as comprised in S.No.348/1 within the limits of Konnur SRO, Chennai and belongs to A/m. Sowmiya Dhamodara Perumal Temple, Konnur, Villivakkam, Chennai 49 till the disposal of the proceedings in R.P.No.122 of 2023 pending with the first respondent and further to fix a time frame for the disposal of the said proceedings.

For petitioner ... Mr.P.G.Thiyagu

For respondents ... Mr.K.Karthikeyan  
Government Advocate

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**ORDER**

This writ petition has been filed to direct the fourth respondent from dispossessing or evicting the petitioner from Door No.1 A, Perumal Koil Tank Street, Villivakkam, Chennai 49, having an extent of 100 Sq.feet, as comprised in S.No.348/1, within the limits of Konnur SRO, Chennai, belongs to A/m. Sowmiya Dhamodara Perumal Temple, Konnur, Villivakkam, Chennai 49, till the disposal of the proceedings, in R.P.No.122 of 2023,



pending with the first respondent and further, to fix a time frame for the disposal of the said proceedings.

2. The case of the petitioner is that on the basis of the report of the Assistant Commissioner, HR & CE, Chennai, Joint Commissioner, HR & CE, Chennai Division – I, issued a Proceeding, dated 26/12/2022, in M.P.No.21/2021/E1, under Section 78 of the Act, against the petitioner as he is an encroacher of the subject premises, viz., Door No.1 A, Perumal Koil Tank Street, Villivakkam, Chennai 49, having an extent of 100 sq.feet, as comprised in S.No.348/1, within the limits of Konnur SRO, Chennai.

3. Heard Mr.P.G.Thiyagu, learned counsel for the petitioner.

4. Mr.K.Karthikeyan, learned Government Advocate (HR & CE) takes notice for the respondents.

5. By consent, the writ petition is taken up for final disposal.

6. Learned Government Advocate appearing for the respondents submitted that R.P.No.122 of 2023 is coming up for hearing on 19/4/2023,



Writ Petition No.3977 of 2023

before the Commissioner, Hindu Religious & Charitable Endowments  
Department, Chennai/first respondent.

7. In such a view of the matter, let the Commissioner may decide the Revision, and dispose of the same, on merits and in accordance with law, within a period of one month, from the date of hearing. Till such time, there would not be any eviction by the authorities concerned. It is open to the authorities to proceed for eviction, if so advised, on the outcome of the revision.

8. With the above direction, this writ petition is disposed of. No costs. Consequently, the connected Miscellaneous Petitions are closed.

13/2/2023

Index : Yes / No  
Internet: Yes  
Speaking/non speaking order  
Neutral Citation: Yes/No

mvs.



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**N. SATHISH KUMAR, J**  
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