



W.P.No.5095 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.03.2023

CORAM:

THE HONOURABLE MR.JUSTICE RMT.TEEKAA RAMAN

W.P.No.5095 of 2023

A.Mohammed Faheem

... Petitioner

Vs

1. The Commissioner,
Hindu Religious and Charitable Endowments Department,
119, Uthamar Gandhi Salai,
Nungambakkam, Chennai – 34.

2. The Joint Commissioner – 1,
Hindu Religious and Charitable Endowments Department,
128, Yadaival Street, Padi, Chennai – 50.

3. The Executive Officer,
Arulmigu Ellaiaimman Thirukoil,
Periamet, Chennai – 3.

... Respondents

Prayer:– Writ Petition is filed, under the Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent to consider the representation dated 11.07.2022 caused by the petitioner on merits, in accordance with law.

For Petitioner : Mr.T.Senthil Kumaran

For R1 and R2 : Mr.N.R.R.Arun Natarajan,
Special Government Pleader (HR&CE)

For R3 : Mr.K.Karthikeyan, Government Advocate



W.P.No.5095 of 2023

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ORDER

This writ petition has been filed for refund of rent by considering the petitioner's representation dated 11.07.2022.

2. Mr.N.R.R.Arun Natarajan, learned Special Government Pleader takes notice on behalf of the respondents 1 and 2. On instructions, he would submit that as early as on 20.06.2022 for non-payment of arrears of rent to the extent of Rs.6,71,000/–, the petitioner's lease had been cancelled. The present petition seeking for a direction appears to be only to circumvent the said cancellation of the lease agreement.

3. In view of the above submission made by the learned Special Government Pleader, I am not inclined to grant relief as sought for. However, it is always open to the petitioner to challenge the quantum mentioned in the arrears if he is willing to do so by filing appropriate application in accordance with law.

4. This Writ Petition is dismissed. No costs.

09.03.2023



W.P.No.5095 of 2023

nvi

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Index:Yes/No

Neutral Citation : Yes/No

To

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W.P.No.5095 of 2023

RMT.TEEKAA RAMAN,J.,

nvi

W.P.No.5095 of 2023



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W.P.No.5095 of 2023

09.03.2023