



Writ Petition No.8671 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.04.2023

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.8671 of 2023

Mohammed Bilal

... 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, Yadaval Street, Padi, Chennai - 50.

3.The Executive Officer,
Arulmigu Ellaiamman Thirukoil,
Periamet, Chennai - 3.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the first respondent to consider the petitioner's representation dated 11.07.2022 in accordance with law on merits, within a time frame fixed by this Court.



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For Petitioner : Mr.T.Senthil Kumaran

For Respondent : Mr.K.Karthikeyan
Government Advocate [HR & CE]

ORDER

This writ petition has been filed for issuance of a writ of mandamus directing the first respondent to consider the representation made by the petitioner on 11.07.2022.

2. Heard Mr.T.Senthil Kumaran, learned counsel for petitioner and Mr.K.Karthikeyan, learned Government Advocate [HR & CE], appearing for the respondents.

3. It is seen from records that the third respondent through notice dated 20.06.2022 had terminated the tenancy of original tenant and also demanded for the payment of arrears of rent. This termination notice has also been intimated to the petitioner. If the petitioner is aggrieved by the same, it has to be challenged in the manner known to law and a cause of action cannot be created by giving a representation. As on today, the petitioner will have to be branded as an encroacher since he has unauthorizedly squatting upon the property belonging to the



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temple. Therefore, there is no question of directing the respondents to consider the representation made by the petitioner, more particularly, when the lease has already been terminated. This Court does not find any merit in this writ petition.

In the result, this writ petition is dismissed. No costs.

17.04.2023

Neutral Citation: Yes/No

Index: yes/no

Speaking Order/Non-Speaking Order
gm

To

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N.ANAND VENKATESH, J

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