



W.P.No.22185 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.09.2024

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.22185 of 2018

R.Shankar

... Petitioner

Vs.

1.The Commissioner,
Hindu Religious and Charitable Endowment Department,
Nungambakkam,
Chennai-600 034.

2.The Joint Commissioner/Executive Officer,
Arul Mighu Sri Kabaleeswarar Temple,
Mylapore,
Chennai-600 004.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the second respondent to permit the petitioner to remove his possessions from the premises at No.42, Ramakrishna Mutt Road, Mylapore, Chennai-600 004, as per the representation dated 04.08.2018.



W.P.No.22185 of 2018

For Petitioner : Mr.Senthil
For Respondents : Mr.NRR.Arun Natarajan
Special Government Pleader
(HR & CE)

ORDER

This Writ Petition has been filed to direct the second respondent to permit the petitioner to remove his possessions from the premises at No.42, Ramakrishna Mutt Road, Mylapore, Chennai-600 004, as per the representation made by the petitioner dated 04.08.2018.

2. The learned counsel appearing for the petitioner submits that the petitioner was in occupation of the premises in No.42, Ramakrishna Mutt Road, Mylapore, Chennai-600 004 and for non-payment of the rent, the second respondent has locked the premises and the petitioner made a representation to the second respondent to permit him to take his possessions from the premises, however, the same has not been considered. Hence, the present writ petition has been filed.



W.P.No.22185 of 2018

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3. The learned Special Government Pleader appearing for the respondents, on instructions, submits that this Court may issue a direction to the petitioner to appear before the second respondent by fixing date and on that date, the second respondent will permit the petitioner to take his belongings from the subject premises.

4. Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents.

5. In view of the submission made by the learned Special Government Pleader appearing for the respondents, the petitioner is directed to appear before the second respondent on **19.09.2024** and on that date, the second respondent shall permit the petitioner to take his belongings from the subject premises. However, the second respondent is at liberty to go for public auction in respect of the subject premises, in which, the petitioner is entitled to participate on clearing the arrears of rent.



W.P.No.22185 of 2018

WEB COPY

6. Accordingly, this Writ Petition is disposed of. There shall be no

order as to costs.

09.09.2024

NCC: Yes / No

Index : Yes / No

Speaking Order : Yes / No

ssb

To

1.The Commissioner,
Hindu Religious and Charitable Endowment Department,
Nungambakkam,
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2.The Joint Commissioner/Executive Officer,
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W.P.No.22185 of 2018

M.DHANDAPANI, J.

ssb

W.P.No.22185 of 2018

09.09.2024