



W.P.No.36516 of 2016

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.11.2024

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THE HONOURABLE MR. JUSTICE S. SOUNTHAR

**W.P No.36516 of 2016
and
WMP.Nos.31424 to 31427 of 2016**

S.Vijaikumar Bafna

...Petitioner

Vs.

1. The Secretary to Government,
Tourism,
Culture and Religious Endowments Department,
Fort.St.George, Chennai - 600 009.
2. The Commissioner,
Hindu Religious & Charitable Endorsements
(Administration) Department,
Nungambakkam High Road, Chennai - 600 034.
3. The Joint Commissioner,
Hindu Religious & Charitable Endowments
(Administration) Department,
Nungambakkam High Road, Chennai - 600 001.
4. The Executive Officer,
Arulmighu Mallikeswarar Thirukkivil,
263, Linghi Chetty Street, Chennai - 600 001.

...Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari, calling for the records relating to the order dated 28.01.2016 made in G.O (Ms) No.43 on the file of the Secretary to the Government, tourism, Culture and Religious Endowments Department, Fort.St.George, Chennai - 600 009, the first respondent herein confirming the order dated 26.12.2014 passed in R.P.No.101 of 2014 on the file of the Commissioner, Hindu Religious and Charitable Endowments (Administration) Department, the second respondent herein confirming the order dated 10.02.2014 in Pro RC.No.11996 of 2010 on the file of the Joint Commissioner, Hindu Religious and Charitable Endowments (Administration) Department, the third respondent herein and quash the same.

For Petitioner : Mr.A.V.Arun
For Respondents : Mr.K.Karthikeyan
Government Advocate (HR & CE)

ORDER

It is seen from the records that my predecessor passed an order on 29.10.2024, adjourning the matter to implead the legal representatives of the deceased petitioner. While passing the said order, this Court by taking into consideration, the default in payment of rent by the deceased petitioner directed his legal representatives to pay the rental arrears of Rs.11,08,330/- within a period of four weeks from the date of receipt of copy of this order. Further direction was also issued to the legal heirs of the deceased petitioner to



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pay a sum of Rs.50,000/- per month as rent to the fourth respondent. Even in the said order, it was made clear that in case of failure on the part of the legal representatives in complying the directions, the respondents were at liberty to take possession of subject property.

2. The learned counsel appearing for the petitioner is unable to produce any material to show that the earlier direction issued on 29.10.2024, has been complied with. Till date no substitution petition has been filed to bring on record the legal representatives of deceased petitioner. Therefore, this writ petition is dismissed as the legal representatives of the deceased petitioner has not been impleaded. No costs. Consequently, connected miscellaneous petitions are closed.

29.11.2024

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
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S. SOUNTHAR, J.

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