



W.P.No.19630 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.04.2024

CORAM:

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.19630 of 2017

The Shah Sanitary Stores
Represented by its Proprietor,
New No.8, Old No.19,
Vaniar Street, Chennai 600 001

...Petitioner

Vs

1.The Commissioner,
Hindu Religious & Charitbale
Endowments Department,
No. 119, Nungambakkam High Road,
Chennai – 600 034.

2.The Joint Commissioner,
Hindu Religious & Charitbale
Endowments Department,
No. 119, Nungambakkam High Road,
Chennai – 600 034.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus thereby directing the respondents to consider and dispose the representation made by the petitioner on 13.04.2017 to the respondents thereby requesting them to remove the



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lock immediately and allow the sanitary stores to take back the valuable sanitary items which is easily broken one within a time frame and pass orders.

For Petitioner : Mr.A. Lakshmi Narasimhan
For Respondents : Mr.K. Karthikeyan
Government Advocate

ORDER

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus thereby directing the respondents to consider and dispose the representation made by the petitioner on 13.04.2017 to the respondents thereby requesting them to remove the lock immediately and allow the sanitary stores to take back the valuable sanitary items which is easily broken one within a time frame and pass orders.

2. The case of the petitioner is that the petitioner is the lessee of the subject property situated at No.77,Armenian Street and No.48-C, Kachalesswarar Agraharam Street, Chennai 600 001 which belongs to Kachlaeeswar Temple Authority Administer by HR&CE Department. The grievance of the petitioner is that he has paid advance amount and also paying the rent amount without any default. When this being the case,



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there was a misunderstanding between the petitioner and the executive officer of the said temple, which resulted in locking the premises without any prior intimation or notice. The grievance of the petitioner is that there was valuable sanitary items inside the premises which amounts to Rs.50,00,000/- Hence, the petitioner made a representation to the respondent on 13.04.2017. However, the same was not considered. Hence this petition.

3.. The learned counsel for the petitioner submitted that it would be suffice if this Court issues a direction to the respondents to consider petitioner's representation dated 13.04.2017 and pass orders.

4. The learned Government Advocate appearing for the Respondents submitted that pending this writ petition 80% of the products were handed over to the petitioner and only 20% of the products are available in the subject property. However, they will consider the case of the petitioner and take action in the manner known to law.



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5. Considering the facts and circumstances of the case, this Court directs the respondents to remove the seal and permit the petitioner to take the remaining materials which are available in the subject property.

7. With the aforesaid direction, this Writ Petition stands disposed of. No costs.

15.04.2024

Index: Yes/No
Speaking order/Non-speaking order
smn

To

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Chennai – 600 034.

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Endowments Department,
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V.BHAVANI SUBBAROYAN, J.



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