



WEB COPY



W.P.No.616 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.01.2025

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P No.616 of 2025 and
W.M.P.No.749 of 2025

G.Kumaravel

...Petitioner

Vs.

1.The Commissioner
Hindu Religious And Charitable Endowment Department,
119 Uthamar Gandhi Rd, Thousand Lights West,
Nungambakkam High Road, Chennai- 34.

2.The Joint Commissioner
Coimbatore Division,
Hindu Religious And Charitable Endowment Department,
Ground Floor, Commercial Tax Building,
Balasundaram Rd, Coimbatore- 641 018.

3.The Assistant Commissioner -cum-executive Officer
Arulmighu Pateeswar Swamy Temple,
Perur, Coimbatore- 641 010.

....Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, forbear the Respondents from evicting the petitioner from the demised leasehold shop bearing Shop No.2 of the Arulmigu Pateeswara Swami Temple, Perur, except under due process of law, in the light of valid lease upto 30.06.2025.



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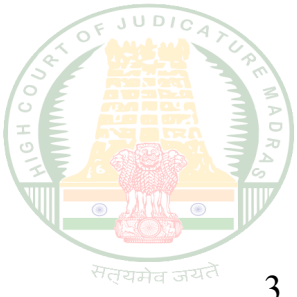
For Petitioner : Mr.R.Nandhakumar

For Respondents : Mr.N.R.R.Arun Natarajan
Special Government Pleader(HR & CE)

ORDER

The writ petition is filed seeking issuance of writ of mandamus forbearing the respondents from evicting the petitioner from the demised leasehold shop bearing Shop No.2 of the Arulmigu Pateeswara Swami Temple, Perur, except by due process of law, in the light of valid lease upto 30.06.2025.

2. It is the case of the petitioner that Shop No.2 belongs to the above mentioned temple was leased out in favour of the petitioner to sell flowers. In the auction conducted by the 3rd respondent temple, the petitioner became the highest bidder and the rent per month was fixed at Rs.1,54,500/-. The lease period is due to expire on 31.06.2025. According to the petitioner, the respondents are attempting to evict the petitioner without following due process of law. Therefore, he has come before this Court.

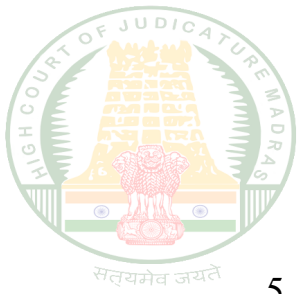


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3. When the writ petition is taken up for hearing, the learned Special Government Pleader (HR & CE), on written instructions from 3rd respondent in Na.Ka.No.10/2025/A7 dated 09.01.2025, submits that Shop No.2 mentioned by the petitioner is a temporary shop near the compound wall of the Nandavanam of the temple and the Kumbabishekam of the temple is slated to be performed on 10.02.2025. The learned Special Government Pleader (HR & CE) further submits to facilitate the construction of the damaged compound wall of the Nandavanam, the petitioner and owners of nearby shops were requested to move the temporary shop three feet away from the compound wall of the Nandavanam. Acceding to the request made by the 3rd respondent, the owners of shop Nos.1 and 3 already moved their shops and the petitioner refused to move his shop.

4. The learned counsel for the petitioner submits that his client is ready to move the Shop No.2 three feet away from the compound wall of the Nandavanam to facilitate 3rd respondent to construct the compound wall. The said statement made by the learned counsel for the petitioner is recorded.



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5. In view of the same, the petitioner is directed to move the temporary Shop No.2 three feet away from the compound wall of the Nandavanam from 15.01.2025 onwards. He is entitled to bring it back to the original position after performance of the Kumbabishekam.

6. With the above directions, this writ petition stands disposed of. No costs.

10.01.2025

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
nr
Note:Issue order copy on 20.01.2025



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S.SOUNTHAR, J.

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