



W.P.No.8383 of 2025

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

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DATED : 12.03.2025

CORAM :

**THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY**

W.P.No.8383 of 2025  
and W.M.P.Nos.9403 and 9404 of 2025

P.Angalan

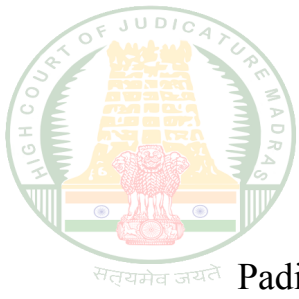
.. Petitioner

**Versus**

1. The Commissioner,  
Hindu Religious & Charitable Endowments  
Department,  
No.119, Uthamar Gandhi Salai,  
Nungambakkam,  
Chennai - 600 034.

2. The Joint Commissioner,  
Hindu Religious & Charitable Endowments  
Department,  
No.127, Yadava Street, Gopal Nagar,  
Padi, Chennai - 600 050.

3. The Assistant Commissioner,  
Hindu Religious & Charitable Endowments  
Department,  
No.127, Yadava Street, Gopal Nagar,



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4. Executive Officer,  
Arulmigu Gangadeeshwar Thirukovil  
No.131, Gangadeeshwar Kovil Street,  
Purasaiwakkam,  
Chennai - 600 084.

.. Respondents

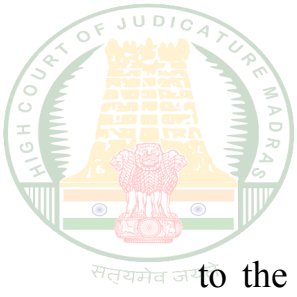
**Prayer :** Writ Petition filed under Article 226 of the Constitution of India, pleaded to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned notice, dated 07.02.2025 passed by the 4th respondent pursuant to the order of the 2nd respondent in M.P.11/2015/I1, dated 27.10.2022 and to quash the same as illegal and consequently, direct the 1st and 2nd respondents to consider the petitioner's request based on the various Legal Opinion given by the Government Advocate on various dates for permitting him to stay as a tenant.

For Petitioner : Mr.K.Shyam Sunder

For Respondents : Mr.K.Karthikeyan  
Government Advocate (HR & CE)

### **ORDER**

This Writ Petition is filed challenging the records pertaining to the impugned notice, dated 07.02.2025 passed by the fourth respondent pursuant



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to the order of the second respondent passed in M.P.No.11/2015/I1, dated 27.10.2022 and quash the same and consequently, to direct the respondent Nos.1 and 2 to consider the petitioner's request based on the various legal opinion given by the Government Advocate on various dates for permitting him to stay as a tenant.

2. The case of the petitioner is that when the eviction order was passed against the petitioner, the petitioner had made a request that he be recognised as a tenant and already, submitted a legal opinion also that is in his favour. Without considering the same, the respondents are proceeding further with the eviction. Therefore, the present Writ Petition is filed.

3. Learned Counsel for the petitioner would submit that the impugned order is completely erroneous in law and the respondents ought to have considered the petitioner's request. He would also submit that the petitioner is also entitled to file revision petition as against the order of eviction. At



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least, time should be extended for filing the revision petition.  
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4. *Mr.K.Karthikeyan*, learned Government Advocate (HR & CE), taking notice for the respondents, submits that the eviction order was passed in the year 2022 itself and that the temple authorities are not willing to recognise the petitioner as a tenant.

5. I have considered the rival submissions made on either side and perused the material records of the case.

6. The impugned order is only a consequential notice to implement the order of eviction that was passed in M.P.No.11/2015/I1 as early as on 27.10.2022. When the petitioner has left the eviction order to become final, now, the Writ Petition cannot be entertained as against the consequential order. With reference to the request of the petitioner to recognise him as tenant, the temple is the owner of property and the authorities are



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administering the same. When the concerned party is not willing to accept the petitioner as a tenant, the Court cannot, by way of a mandamus, force a lease on the temple, to which, the temple does not want to give consent. It is seen that the proceedings for eviction started in the year 2015 and the order was passed in the year 2022. Therefore, the prayer in the Writ Petition cannot be countenanced.

7. Finding no merits, this Writ Petition is dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

12.03.2025

Neutral Citation : no  
grs

To

1. The Commissioner,  
Hindu Religious & Charitable Endowments  
Department,  
No.119, Uthamar Gandhi Salai,  
Nungambakkam,  
Chennai - 600 034.



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2. The Joint Commissioner,  
Hindu Religious & Charitable Endowments  
Department,  
No.127, Yadava Street, Gopal Nagar,  
Padi, Chennai - 600 050.
3. The Assistant Commissioner,  
Hindu Religious & Charitable Endowments  
Department,  
No.127, Yadava Street, Gopal Nagar,  
Padi, Chennai - 600 050.
4. The Executive Officer,  
Arulmigu Gangadeeshwar Thirukovil  
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**D.BHARATHA CHAKRAVARTHY, J.**

grs

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