



W.M.P.No.8940 of 2025
in W.P.No.5518 of 2025

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.03.2025

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.M.P.No.8940 of 2025
in W.P.No.5518 of 2025

P.Saraladevi

.. Petitioner

Versus

1. The Commissioner,
Hindu Religious and Charitable Endowment
Department,
Uthamar Gandhi Salai, Nungambakkam,
Chennai - 600 034.
 2. Arulmigu Sivasubramania Swamy Thirukovil,
Rep. by its Executive officer,
Alandur, Chennai.
 3. Govindaraja
 4. Boopalan
- .. Respondents

Prayer : Writ Miscellaneous Petition filed under Article 226 of the Constitution of India, pleased to issue a Writ of Mandamus to reopen the Writ Petition in W.P.No.5518 of 2025, dated 20.02.2025 and restore it to its



*W.M.P.No.8940 of 2025
in W.P.No.5518 of 2025*

original file.
WEB COPY

For Petitioner : Mrs.B.Jeyanthi

For Respondents : Mr.N.R.R.Arun Natarajan,
Special Government Pleader
(HR & CE),
for RR-1 and 2

ORDER

This petition is filed to reopen W.P.No.5518 of 2025, which was dismissed vide order, dated 20.02.2025 and to restore to its original file.

2. The grievance of the petitioner is that when there is a decree of eviction that is passed, without following due process of law by proceeding with the Execution Petition, they suddenly started the demolition.

3. As a matter of fact, this Court considered the same and considered the fact that the decree has been passed long back and after considering the fact that the application number, which is submitted by the learned Counsel,



W.M.P.No.8940 of 2025
in W.P.No.5518 of 2025

WEB COPY

was erroneous, passed the final order.

4. The learned Counsel again submits that even after limited oral interim order was granted in the evening of 19.02.2025, they continued with the demolition and the petitioner says that already, she has preferred a Contempt Petition. The same will be considered as and when the Contempt Petition comes up for hearing. But, as of now, when the information that was originally submitted by the petitioner is proved to be factually incorrect and now, the learned Counsel submits that an application for setting aside the *ex parte* decree is filed, leaving open the remedies of the petitioner in setting aside the application in the Civil Suit, this Writ Miscellaneous Petition is not entertained and is dismissed.

07.03.2025

Neutral Citation : no
grs

To

<https://www.mhc.tn.gov.in/judis>



*W.M.P.No.8940 of 2025
in W.P.No.5518 of 2025*

WEB COPY

1. The Commissioner,
Hindu Religious and Charitable Endowment
Department,
Uthamar Gandhi Salai, Nungambakkam,
Chennai - 600 034.
2. The Executive Officer,
Arulmigu Sivasubramania Swamy Thirukovil,
Alandur, Chennai.



WEB COPY



*W.M.P.No.8940 of 2025
in W.P.No.5518 of 2025*

D.BHARATHA CHAKRAVARTHY, J.

grs

W.M.P.No.8940 of 2025
in W.P.No.5518 of 2025



WEB COPY



W.M.P.No.8940 of 2025
in W.P.No.5518 of 2025

07.03.2025