



WEB COPY

WA.No.1222 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.04.2025

CORAM
THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE MR. JUSTICE K.RAJASEKAR

WA.No.1222 of 2025

K.Babu

... Appellant

Vs.

1. The Executive Officer,
M/s.Arulmigu Agatheeswarar Prasanna,
Venkatesa Perumal Devasthanam Temple,
Nungambakkam, Chennai - 600 034.
2. The Joint Commissioner,
HR & CE,
Nungambakkam, Chennai - 600 034.
3. The Commissioner,
HR & CE,
Nungambakkam, Chennai - 600 034.
4. The Trustee,
M/s.Arulmigu Agatheeswarar Prasanna,
Venkatesa Perumal Devasthanam Temple,
Nungambakkam, Chennai - 600 034.

... Respondents

Prayer: Writ appeal filed under Clause 15 of the Letters Patent, to set aside the order dated 06.03.2025 in W.P.No.7859 of 2025.



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For Appellant : Mr.S.Aswin Karthikeyan
For Respondents : Mr.K.Karthikeyan
Government Advocate (HR&CE)
for R1 to R4

JUDGMENT

(Judgment of the Court was made by **S.M.SUBRAMANIAM, J.**)

Under assail is the order dated 06.03.2025 passed in W.P.No.7859 of 2025.

2. Admittedly, an order of eviction was passed against the appellant and in favour of the Temple in O.S.No.4301 of 1984 by a decree and judgment dated 14.07.2003. The execution petition was filed in E.P.No.1882 of 2009 and after protracting the matter all along, the appellant has chosen to file the writ petition seeking a writ of mandamus to direct the respondents to consider the representation.

3. Even such a direction to consider the representation would do no service to the cause of justice. It will result in multiplication of proceedings which occurred in the present case. By filing litigation after litigation, the appellant cannot continue in the temple premises in the absence



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of any valid lease. Since the eviction has already been ordered and delivery is also ordered by the Execution Court, the writ Court has rightly dismissed the writ petition.

4. The respondents 1 to 3 are directed to execute the eviction as ordered by this Court, if required, with the assistance of the Police.

With the above direction, the Writ Appeal stands **dismissed**. No costs.

[S.M.S,J.] [K.R.S,J.]
21.04.2025

veda

Index: Yes/No

Speaking order/Non-speaking order

Neutral Citation: Yes/No

To

1. The Executive Officer,
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Nungambakkam, Chennai - 600 034.
2. The Joint Commissioner,
HR & CE,
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S.M.SUBRAMANIAM,J.
AND
K.RAJASEKAR,J.

veda

4. The Trustee,
M/s.Arulmigu Agatheeswarar Prasanna,
Venkatesa Perumal Devasthanam Temple,
Nungambakkam, Chennai - 600 034.

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