



W.P.No.13817 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 17.04.2025

CORAM:

THE HONOURABLE MR. JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.13817 of 2025

and

W.M.P.Nos.15516 & 15518 of 2025

Sivaraj Mohan

... Petitioner

Vs.

1.The Commissioner

Hindu Religious Charitable Endowments Department
Nungambakkam High Road, Chennai.

2.The Joint Commissioner

Hindu Religious Charitable Endowments Department
College Road, Chennai 600 006.

3.The Assistant Commissioner

Hindu Religious Charitable Endowments Department
College Road, Chennai 600 006.

4.The Executive Officer

Arulmigu Somanathaswamy Temple
Sannithi Street, Kolathur
Chennai 600 099.

...Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus or any other writ or any other order or direction or any way or in the form of writ to consider the representation of the petitioner dated 08.04.2025 within a stipulated period so as to de-seal the petitioner's shop at No.4, MGR Street, Annai Satya Nagar, Red Hills Road, Kolathur, Chennai 600 099 and grant such other suitable orders.

For Petitioner : Mr.C.Umashankar

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

ORDER

This Writ Petition is filed for a Writ of Mandamus directing to consider the representation of the petitioner dated 08.04.2025.

2. Upon hearing, Mr.C.Uma Shankar the learned counsel for the petitioner and perusing the representation of the petitioner, the petitioner wants to become a tenant under the temple.



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3. When the matter came up for hearing, Mr.N.R.R.Arun

WEB COPY Natarajan, learned Special Government Pleader would submit that the temple is not willing to take them as a tenant in fact the entire property of the temple is being given to other department for putting up an integrated police complex for rent that is fixed by the commissioner in exercise of his statutory power.

4. Therefore, the prayer in the Writ Petition cannot be countenanced. Alternatively, the learned counsel for the petitioner would submit that the petitioner's premises have suddenly been sealed and therefore, let it be opened.

5. In reply thereof, the learned Special Government Pleader would submit that already eviction proceedings were taken by following the due process of law under Section 78 of the Hindu Religious and Charitable Endowments Act, 1959 and orders have been passed on 10.03.2025 in MP.No.39 of 2022.



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6. Therefore, when possession has been taken by following the

due process of law, keeping open the liberty of the petitioner to challenge the order of eviction in the manner known to law, the prayers made by the petitioner cannot be countenanced in the Writ Petition, this Writ Petition stands disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

17.04.2025

Neutral Citation : No
dna

To

- 1.The Commissioner
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D.BHARATHA CHAKRAVARTHY, J.
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