



W.P.No.18439 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.05.2025

CORAM

THE HONOURABLE MR. JUSTICE V.LAKSHMINARAYANAN

W.P.No.18439 of 2025

and

W.M.P.Nos.20649 & 20650 of 2025

N.R.Babu Chandran @ Shanmuganathan

... Petitioner

Vs.

- 1.The Commissioner,
Hindu Religious and Charitable Endowment Board,
Chennai - 600 034.
 - 2.The Joint Commissioner,
HR & CE,
Nagapattinam.
 - 3.The Assistant Commissioner,
HR & CE,
Thiruvavarur.
 - 4.The Executive Officer,
Arulmigu Thiyagarajaswami Thirukoil,
Vijayapuram,
Thiruvavarur Town and District.
 - 5.M/s.Arulmighu Annathana Kattalai,
Represented by Hereditary Trustee,
Velankurichi Adheenam,
Sreela Sree Sathyagana Deva Bramcharaya Swamikal,
Thirupukalur, Nagapattinam Taluk.
- ...Respondents



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Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records pertains to the impugned order made by the 3rd respondent in proceedings No.Na.Ka.837-5/2025/E1 dated 06.05.2025 which passed against the petitioner thereby directed to vacate the property situate at S.No.878/1D-1884 sq.ft, and 880/2-1695 sq.ft. at Vijayapuram, Thiruvarur Taluk and District measuring about 3579 sq.ft., when the revision petition is filed in R.P.No.105 of 2025 and pending before the 1st respondent and consequently direct the 3rd respondent not to take and further steps thereby evicting the petitioner from the above said property till the disposal of R.P.No.105 of 2025 on the file of the 1st respondent.

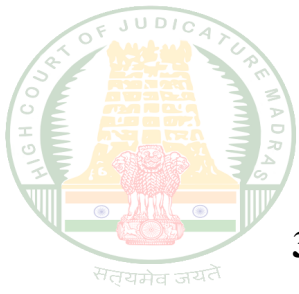
For Petitioner : Mr.R.Bhagawat Krishna

For Respondents : Mr.N.R.R.Arun Natarajan
Special Government Pleader

ORDER

The petitioner has suffered an order of eviction under Section 78 of the HR & CE Act. Challenging the same he has presented a revision in R.P.No.105 of 2025 before the 1st respondent. In the mean time fearing that possession will be taken from him he has approached this Court.

2. I have heard Mr.R.Bhagawat Krishna, learned counsel for the petitioner and Mr.N.R.R.Arun Natarajan, learned Special Government Pleader for the respondents.



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3. When there is a threat of dis-possession pursuant to an order under

Section 78, interest of Justice requires that it may be kept in abeyance pending the revision. However, the interest of the religious Institution is also has to be taken into consideration.

4. Hence, on deposit of Rs.13,80,240/- within a period of four weeks, the petitioner will not be dis-posessed from the property. R.P.No.105 of 2025 will be disposed of within a period of four months from the date of deposit of the amount by the petitioner.

5. Accordingly, this Writ Petition is disposed of. No costs. Consequently, the connected miscellaneous petitions are closed.

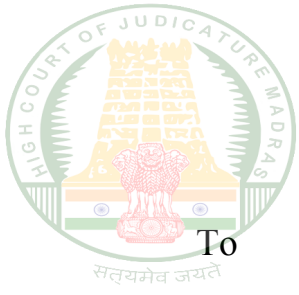
16.05.2025

dsa

Index : Yes/No

Neutral Citation : Yes/ No

Speaking Order/ Non-Speaking Order



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To

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V.LAKSHMINARAYANAN. J.,

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