



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-08-2025

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THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 29715 of 2025

and

WMP Nos. 33326, 33328 & 33331 of 2025

Appu

Petitioner(s)

Vs

1.The Commissioner

H.R and C.E. Department

Chennai 600 034.

2.The Joint Commissioner

H.R and C.E. Department

Chennai 600 034

3.The Assistant Commissioner

H.R and C.E. Department,

Chennai.

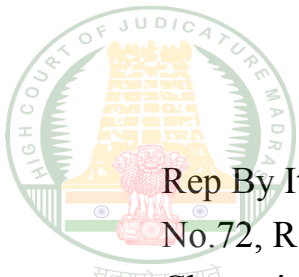
4.The Executive Officer

Arulmigu Margasagaya Eswarar

Thirukoil, Maduravoyal,

Chennai 600 095.

5.M/s.Sukran Cuisines Private Ltd.,



Rep By Its Proprietor
No.72, R.K.Salai Cathedral Road
Chennai 600 086.

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Respondent(s)

PRAYER

Call for the records relevant to the public auction confirmation notice proceedings in Mu.Mu.No.1392006/2025/R2 dated 25.04.2025 passed by the 1st Respondent and quash the same as illegal, improper and as against principles of natural justice and thereby regularize the petitioner as a lawful tenant of the property situated at No.20/36, P.H Road Maduravoyal, Chennai 95, totally to an extent of 1650 Sq.ft (includes commercial and residential) by fixing the fair rent towards the same and enable the petitioner to pay the same to the 4th respondent temple.

For Petitioner(s): Mr.A.Rajeshkannan

For Respondent(s): Mr.N.R.R.Arun Natarajan, SGP
For R1 to R4

ORDER

This writ petition has been filed challenging the confirmation notice through proceedings of the 1st respondent dated 25.04.2025 and for regularization of the petitioner as a lawful tenant of the subject property and to fix fair rent towards the same.



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2. Heard Mr.A.Rajeshkannan, learned counsel for the petitioner and Mr.N.R.R.Arun Natarajan, learned Special Government Pleader appearing on behalf of the respondents 1 to 4.

3. The petitioner was the tenant under the Temple. Subsequently, proceedings were initiated under Section 78 of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959 on the ground that the petitioner is an encroacher. An order came to be passed by the Joint Commissioner allowing the petition on 22.06.2020. Aggrieved by the same, a revision was filed before the Commissioner and the same also came to be dismissed by an order dated 16.06.2022. Thereafter, the possession was taken and the Department has conducted an auction on 27.12.2024. Subsequently, through the impugned proceedings dated 25.04.2025, the successful bidder was allocated the property and it was given on lease. The same has been put to challenge in the present writ petition.

4. In the considered view of this Court, the petitioner is challenging the



consequence after a public auction, which was already been conducted on 27.12.2024. That by itself is a ground for dismissing this writ petition. That

apart, the petitioner has already been evicted from the property by initiating proceedings under Section 78 of the Act and therefore, as on today, the petitioner does not have the locus to question the auction, unless the order of eviction passed against the petitioner is interfered in the manner known to law.

5. In the light of the above discussion, this Court does not find any ground to even entertain this writ petition and accordingly, the same is hereby dismissed. No costs. Consequently, the connected Miscellaneous Petitions are closed.

08-08-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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H.R And C.E. Department
Chennai 600 034

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H.R And C.E Department
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H.R And C.E. Department,
Chennai

4.The Executive Officer
Arulmigu Margasagaya Eswarar
Thirukoil Maduravoyal,
Chennai 600 095



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N.ANAND VENKATESH J.

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