



W.P.No.38057 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.10.2025

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.38057 of 2025

and

W.M.P.No.42500 of 2025

P.Kannan

... Petitioner

Vs.

1.The Commissioner,
Hindu Religious and Charitable Endowment Department,
No.119, Uthamar Gandhi Road,
Nungambakkam, Chennai – 600 034.

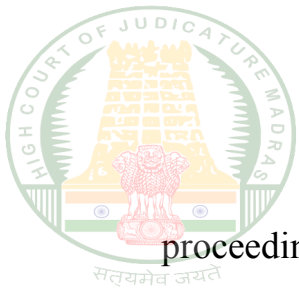
2.The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
Sitharkadu, Mayiladuthurai – 609 001.

3.The Assistant Commissioner,
Hindu Religious and Charitable Endowment Department,
Sitharkadu, Mayiladuthurai – 609 001.

4.The Executive Officer,
Hindu Religious and Charitable Endowment Department,
Arulmigu Manmatheeswarar Thiru Kovil,
Kuttalam Taluk, Mayiladuthurai – 609 801.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 1st respondent to consider the petitioner's representation dated 03.10.2025 and consequently forbear all further



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proceedings in ந.க.எண்.ACO14/317-1/2025-C1 நாள் 25.09.2025 on the file of the 3rd respondent.

For Petitioner : Mr.Shanmuga Sundaram
for M/s.T.R.Udayakumar
For Respondents : Mr.N.R.R.Arun Natarajan
Special Government Pleader

ORDER

This Writ Petition has been filed by the petitioner seeking for a Writ of Mandamus, to direct the 1st respondent to consider the petitioner's representation dated 03.10.2025 and consequently, forbear all further proceedings in ந.க.எண்.ACO14/317-1/2025-C1 நாள் 25.09.2025 on the file of the 3rd respondent.

2. It is case of the petitioner that he is a tenant under the 4th respondent temple in respect of the property comprised in S.No.179/2 of Kuttalam Village, Kuttalam Taluk, Mayiladuthurai District to an extent of 1600 sq.ft. and the lease was periodically renewed. Whiles, the 4th respondent has increased the rent from time to time. Though objection was made by the petitioner, the 4th respondent has demanded exorbitant rent from the petitioner. On 07.06.2017, the 2nd respondent has arbitrarily passed an eviction order holding that the



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petitioner is an encroacher, against which, he preferred a revision in R.P.No.331 of 2017 and the same was dismissed vide order dated 30.05.2018 without giving any opportunity of personal hearing to the petitioner. Aggrieved by the same, the petitioner has filed a writ petition before this Court in W.P.No.7552 of 2021 and W.P.No.26941 of 2022. This Court, by its order dated 29.06.2022, had directed the petitioner to deposit Rs.5,00,000/- to the 4th respondent, which was complied with by the petitioner. Thereafter, the said writ petition were disposed of with direction to the petitioner to pay 50% of Rs.7,30,156/- to the 4th respondent, against which, the petitioner has preferred a writ appeal in W.A.No.206 of 2023 and the same was dismissed 04.04.2025. Challenging the same, he filed a Special Leave Appeal before the Supreme Court, which was also dismissed on 02.06.2025. Thereafter, the 3rd respondent has issued an eviction notice dated 25.09.2025 demanding the vacant possession of the property, failing which, the petitioner will be evicted with the aid of Revenue and Police officials. Therefore, the petitioner has made a representation dated 03.10.2025 before the respondents stating that he is ready to and willing to comply with the orders made in W.P.No.7552 of 2021 and W.P.No.26941 of 2022 and pay 50% of the balance amount of Rs.7,30,156/- which is Rs.3,65,078/- and requested the respondents not to proceed with the said notice dated 25.09.2025. Since the same was not considered, the present writ petition



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3. When the matter was taken up for hearing today, the learned counsel for the petitioner submits that the petitioner is ready to vacate the premises mentioned in the lease deed dated 01.06.1991 to the 4th respondent on or before 10.01.2026. To that extent, the petitioner has filed an affidavit dated 08.10.2025.

4. The learned Special Government Pleader appearing for the respondents submits that this Court may permit the petitioner to vacate the premises in which he is running a bakery, within a time frame that may be fixed by this Court and also permit the respondents to vacate the other persons who are in possession of the subject premises. Further, he submitted that during the eviction process on 15.05.2025, the officials of the HR & CE Department were assaulted by petitioner and others and also pulled the hair of a woman official, for which, the Executive Officer, HR & CE Department, Mayiladuthurai has made a complaint before the law enforcing agency on the same day. However, till date, the law enforcing agency has not arrested the persons, who were involved in the crime. Accordingly, he prays for appropriate orders.

5. Heard the learned counsel for the parties and also perused the



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materials available on record.

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6. Though the petitioner claims that he is a tenant under the 4th respondent, however no shred of document has been produced by him before this Court. Now, the petitioner has filed an affidavit dated 08.10.2025 undertaking to deliver the vacant possession of the subject premises in which he is running a bakery. The said affidavit shall form part and parcel of this order.

7. In view of the affidavit filed by the petitioner, this Court grants permission to the petitioner to hand over the vacant possession of the subject premises in which he is running a bakery to the 4th respondent, within a period of three (3) months from the date of receipt of a copy of this order, on condition that he shall deposits a sum of Rs.7,30,156/-, towards arrears, to the 4th respondent, less the amount, if any, paid by him pursuant to the order passed by this Court in W.P.No.7552 of 2021 dated 03.01.2023, failing which, the respondents are at liberty to evict the petitioner forthwith from the subject premises. Further, the respondents are at liberty to evict the other persons from the subject premises forthwith without any further delay.

8. In respect of the crime committed on 15.05.2025, though a complaint has been made, however the law enforcing agency has not shown any progress



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in the investigation. Hence, the law enforcing agency, namely The Inspector of Police, Kuttalam, Mayiladuthurai District is directed to take appropriate action against the offenders within a period of two (2) weeks from the date of receipt of a copy of this orders.

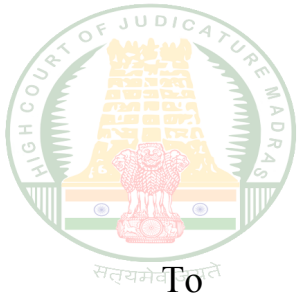
9. Further, the Deputy Superintendent of Police, Kuttalam, Mayiladuthurai District is directed to provide necessary police protection to the officials of the HR & CE Department to carryout the eviction process tomorrow (09.10.2025) in the subject premises except the petitioner's bakery.

10. With the above directions, this Writ Petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

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Index : Yes / No
Speaking order / Non-speaking order
Neutral Citation Case : Yes / No
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Note: Issue order copy on 09.10.2025.



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To
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M.DHANDAPANI, J.

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