



WEB COPY



A.No.1545 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-04-2026

CORAM

THE HON'BLE DR.JUSTICE A.D.MARIA CLETE

A No. 1545 of 2026

in

C.S.DR.No.19704 of 2026

E. Vishal

S/o.P.Elango, Aged about 28 years, Residing at New
No.23, Old No.7, North Leith Castle Road,
Santhome, Chennai-600 028

..Applicant(s)

Vs

1. The Commissioner and 2 others
Hindu Religious and CHARitable Endowments
(HR AND CE) Dept., 119, Uthamar Gandhi
Salai, Nungambakkam, Chennai-600 034.
2. The Deputy Commissioner / Executive Officer,
Arulmigu Vadapalani Andavar Thirukovil,
Vadapalani, Chennai - 600026
3. The Commissioner
Greater Chennai Corporation, Ripon Building,
Chennai-600 003. (Rep. by its Executive
Engineer (Town Planning), Zone 10)

..Respondent(s)

to dispense with the requirement of notice to defendants envisaged
under section 80 of the CPC

For Applicant(s): S. Bageerathan
 A.Hashika
 S.Viswanathan
 M.Gokulaprabavathi



A.No.1545 of 2026

SA.Tharani

For Respondent(s): ---

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ORDER

This Application has been filed under Order XIV Rule 8 of the Original Side Rules read with Section 80 of the Code of Civil Procedure, seeking leave of this Court to institute the suit without issuing prior notice under Section 80 CPC.

2. The learned counsel for the applicant/plaintiff submitted that the suit is of an emergent nature. It is stated that the plaintiff has instituted the suit complaining of obstruction to the access claimed by him to his property and has sought, inter alia, declaratory relief, mandatory injunction for removal of the iron gate/alleged obstruction, and consequential permanent injunction.

3. In the affidavit filed in support of the application, the plaintiff has stated that he had already submitted a representation to the respondents in the month of September 2025 with regard to the issue. It is further averred that if the plaintiff is compelled to wait for the statutory period contemplated under Section 80 CPC, the suit itself would become infructuous and he would be put to irreparable loss and injury.



A.No.1545 of 2026

4. This Court has considered the averments made in the affidavit, the nature of the relief sought in the suit, and the urgency projected by the applicant.

5. Having regard to the facts and circumstances of the case, and without expressing any opinion on the merits of the rival claims in the suit, this Court is satisfied that the plaintiff has made out sufficient grounds for grant of leave under Section 80 CPC.

6. Accordingly, this Application is allowed and the requirement of prior notice under Section 80 CPC is dispensed with for the purpose of institution of the suit.

7. The Registry is directed to number the suit, if it is otherwise in order.

17-04-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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3/4



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DR.A.D.MARIA CLETE, J.

AY

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