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Order QR

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-10-2026

CORAM

THE HON'BLE MR.JUSTICE K. SURENDER

WP No. 44145 of 2026

CNR:{HCMA012585352026}

AND

WMP NO. 49512 OF 2026,WMP NO. 49513 OF 2026

V.Arivalagan

..Petitioner(s)

Vs

1. The Commissioner
   HR and CE, Chennai.
2. The Joint Commissioner
   HR and CE Nagapattinam,

3. The Assistant Commissioner
   HR and CE Thiruvarur

4. The Executive Officer,
   Arulmigu Renugadevi Amman Thirukoil,
   Vijayapuram,
   Thiruvarur Town and District.

..Respondent(s)

Writ Petition filed under Article 226 of Constitution of India for issuance of Writ of Certiorarified Mandamus to call for the records pertains to the impugned order made by the 3rd respondent dated 16.10.2026 in Na.Ka.5439-5/2026/E2 which passed against the petitioner thereby directed to vacate the property situated at S.No.927 -4477 sq.ft 928-360sq.ft at door No.94,95 Vijayapuram Thiruvarur Taluk and District total measuring about 4837 sq.ft. when the revision petition filed in RP No.101 of 2025 on the file of the 1st respondent and consequently direct the 3rd respondent not to take any further steps thereby evicting the petitioner from the above said property till the disposal of R.P.No.101 of 2025 on the file of the 1st respondent.

For Petitioner(s): Mr.R.Bhagawat Krishna
For Respondent(s): S.Srinivasan Additional Government Pelader for R1 to R4

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The Writ Petition has been filed challenging the eviction notice dated 16.10.2026 issued by the third respondent in Na.Ka.No.5439-5/2026/E2, directing the petitioner and his brothers to vacate the subject property.

2. The petitioner submits that he and his brothers are in possession and enjoyment of the property belonging to Arulmigu Renugadevi Amman Thirukovil, Vijayapuram, Thiruvarur District. According to the petitioner, the eviction proceedings have been initiated despite the pendency of R.P.No.101 of 2025 before the first respondent, challenging the fixation of rent. The petitioner further submits that he had already paid a sum of Rs.8,00,000/- pursuant to the conditional order passed by this Court in W.P.No.28723 of 2026, but was unable to pay the balance amount of Rs.7,00,000/- due to financial difficulties. Hence, the present Writ Petition.

3. The petitioner contends that the impugned eviction proceedings are arbitrary and illegal, particularly when the revision petition is pending consideration before the first respondent. It is further submitted that the petitioner and his brothers are willing to pay the fair rent and that sufficient time ought to have been granted to comply with the conditional order passed by this Court.

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4. Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents and perused the materials available on record.

5. The present Writ Petition arises out of the petitioner's failure to comply with the conditional order passed in W.P.No.28723 of 2026, directing payment of Rs.15,00,000/-. The non-compliance with the said order cannot be considered in the present Writ Petition. The tendency of the petitioner to repeatedly file petitions, thereby delaying the eviction process, is apparent. In such circumstances, no relief can be granted to the petitioner in the present Writ Petition.

6. Accordingly, this Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed

K.SURENDER J.
28-10-2026

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

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K.SURENDER J.

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