



CRP No. 564 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-01-2026

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THE HONOURABLE MR.JUSTICE P.B. BALAJI

CRP Nos. 564 and 571 of 2024

1. K.R. Mohan
S/o.Karubbiah, NO.11/20, Gangureddy
St, Egmore, Chennai 80.

Petitioner(s)

Vs

1. Arulmigu Audipureeswarar and
Audikesavaperumal Devasthanam
Rep.by its Executive Officer,
Chinthadripet Chennai 2.

Respondent(s)

CRP No. 571 of 2024

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1. Arulmigu Audipureeswarar and
Audikesavaperumal Devasthanam
Rep.by its Executive Officer,
Chinthadripet Chennai 2.

Respondent(s)

CRP No. 564 of 2024

PRAYER This petition filed under Section 115 of C.P.C., to set aside the order 4.11.2023 in EA.No.5/2022 in EP.No. 1362/1999 in OS.No. 8394/1984 on the Honble X Assistant City Civil Judge, Chennai.



CRP No. 571 of 2024

PRAYER This petition filed under Section 115 of C.P.C., to set aside the order 4.11.2023 in EA.No.6/2022 in EP.No. 1362/1999 in OS.No. 8394/1984 on the Honble X Assistant City Civil Judge, Chennai.

In both CRPs

For Petitioner(s): Mr.R.Natarajan
For Respondent(s): Mr.R.Mahalingam

COMMON ORDER

Heard the learned counsel for the parties.

2.Learned counsel appearing for the respondent/Temple brings to the notice of this Court that possession of the premises was handed over to the respondent/Temple as early as November 2022 and that the Execution Petition was terminated on 04.11.2023.

3.Learned counsel for the petitioner contends that the petitioner was running a hotel in the premises which is now under lock and key and that the same has not been let out to any third party. It is further contended that the petitioner is presently running a hotel in the first floor of the very same building. He would submit that the petitioner would be best suited to be reinducted into the premises. Learned counsel further submits that the petitioner

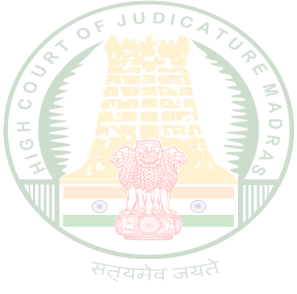


can also be put on reasonable terms for being reinducted into the ground floor portion and that the same may be considered objectively.

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4. In the light of the above submissions, and considering the fact that the respondent/Temple is being put to severe monetary loss and irreparable prejudice, merely on account of the pendency of approval for renovation from the Joint Commissioner, HR & CE Department, Chennai, the same cannot be put against the respondent/Temple.

5. However, taking into account the fact that the petitioner is already running a hotel in the first floor of the same building, the request of the petitioner for being reinducted into the ground floor portion may be considered, subject to the petitioner paying a sum of Rs.25,00,000/- (Rupees Twenty Five Lakhs only) on account and without prejudice. The said amount shall be paid along with a representation to be submitted by the petitioner seeking reinduction into the ground floor portion, offering a proposal for clearing the arrears and for payment of future rents within 4 four weeks from today. Upon receipt of such representation, the respondent/Temple shall forward the same to the Joint Commissioner, HR & CE Department, Chennai, within a period of one week from the date of receipt of a copy of this order. The Joint Commissioner shall thereafter pass final orders on merits and in accordance with law within a period of four weeks.



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CRP No. 564 of 2024



6.Post these matters on 17.03.2026.

20-01-2026

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To

1. The X Assistant City Civil Judge, Chennai.
2. The Executive Officer, Arulmigu Audipureeswarar and
Audikesavaperumal Devasthanam,
Chinthadripet Chennai 2.

Copy to

The Joint Commissioner, HR & CE, Chennai.



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P.B.BALAJI J.
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