



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 23.09.2016
CORAM :

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THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition (MD) Nos.17946 and 17947 of 2013
and
M.P(MD)Nos.1 and 1 of 2013 and 1 of 2014

B.Suffi Mohammed ... Petitioner in W.P(MD)No.17946/2013
V.Rajagopal ... Petitioner in W.P(MD)No.17947/2013

Vs.

1. The Commissioner,
Hindu Religious and Charitable Endowments Department,
No.119, Uthamar Gandhi Road,
Chennai.
2. The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Near Meenakshmi Amman Temple,
Madurai District.
3. The Executive Officer,
Arulmigu, Kalahastheeswara Thirukovil,
Dindigul. ... Respondents in both WPs

Petitions filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorari, calling for the records of the impugned order dated 12.09.2013 on the file of the third respondent and quash the same as illegal, arbitrary and without jurisdiction.

For Petitioner : Mr.H.Lakshmi Shankar

For Respondents 1&2 : Mr.R.Anandaraj,
Government Advocate.

For 3rd Respondent : Mr.S.Manohar

ORDER

According to the petitioners, the petitioners are the lessees in the third respondent temple. By the impugned order, the third respondent terminated the lease granted to the petitioners on the ground that there are arrears of rent and after failing to pay fair rent, the petitioners failed to pay revised rent which is impugned in this writ petition.



2.Learned counsel appearing for the respondents fairly submitted that the petitioners paid the entire arrears.

3.In view of the above said submission, the impugned order dated 12.09.2013 is set aside. However, liberty is granted to the respondents to proceed against the petitioners, if they failed to pay revised rent in future.

4.The writ petitions are disposed of accordingly. No costs. Consequently, M.P(MD)Nos.1 & 1 of 2013 & 1/2014 are closed.

Sd/
Assistant Registrar(C.S-I)

/TRUE COPY/

Sub Assistant Registrar

To

1. The Commissioner,
Hindu Religious and Charitable Endowments Department,
No.119, Uthamar Gandhi Road, Chennai.

2. The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Near Meenakshmi Amman Temple, Madurai District.

+2cc to M/S.H.Lakshmi Shankar, Advocate in SR.No.55910 & 55909.

+2cc to M/S.S.Manohar, Advocate in SR.No.55875 & 55876.

+1cc to Special Government Pleader in SR.No.56093.

Writ Petition (MD) Nos.17946 and 17947 of 2013
and M.P(MD)Nos.1 and 1 of 2013 and 1 of 2014
23.09.2016

sms

msm/mpa/sar3/04.11.16/p2/8c