



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 19.01.2017

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P (MD) No.853 of 2017

and

W.M.P (MD) No.712 of 2017

K.Saravanan

..Petitioner

Vs

- 1.The Commissioner,  
Hindu Religious and Charitable Endowments Department,  
Chennai-34.
  - 2.The Joint Commissioner,  
Hindu Religious and Charitable Endowments Department,  
Madurai.
  - 3.The Assistant Commissioner/Executive Officer,  
Arulmighu Koodal Alagar Thirukkoil,  
Madurai.
- ..Respondents.

**Prayer:** Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus calling for the records from the third respondent in her proceedings in Na.Ka.No.788/2011/A4, dated 27.12.2016 and quash the same and consequently to direct the third respondent to extend the lease period for another three years by fixing 15% higher rent to the Petitioner's shop situated in Door No.63, West Avani Moola Street, Madurai - 625 001 by considering his representations dated 1.12.2016 and 3.2.2016.

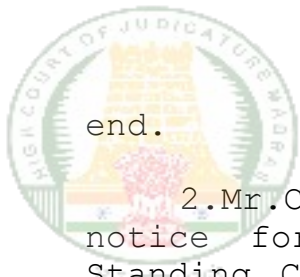
For Petitioner :Ms.Radhi Sathish  
for M/s.N.Sathish Babu

For Respondents :Mr.C.Selvaraj,  
1 and 2 Spl.Govt.Pleader

For Respondent-3 :Mrs.S.Manohar

ORDER

This Writ Petition is filed challenging the order, dated 27.12.2016 passed by the third respondent calling upon the <https://hcservices.ecourts.gov.in/hcservices/> petitioner to hand-over the possession of the shop, originally let to the Petitioner, over which the lease period has also come to an



end.

2.Mr.C.Selvaraj, learned Special Government Pleader takes notice for the respondents 1 and 2 and Mr.S.Manohar, learned Standing Counsel takes notice for the third respondent. Heard the learned counsels appearing on either side and perused the materials placed before this Court.

3.By consent of both parties, the main Writ Petition is taken up for disposal, at the admission stage itself.

4.Though the Petitioner has sought to contend that there was some short-fall in the extend of the property originally let to the Petitioner, which resulted in exchange of communication between the Petitioner and temple authorities, the fact remains that undisputably the lease period has come to an end on 03.01.2017 and therefore, the Petitioner cannot continue his possession without there being any extension of lease. In this case, it is stated by the learned counsels appearing for the respondents that no such extension is granted to the Petitioner and therefore, he is not entitled to continue in possession and challenge the impugned communication calling upon him to hand-over the possession, after the expiry of such lease period.

5.I find no substance in this Writ Petition, even as a prima facie case for entertaining the same, as the Petitioner is not having any benefit of extension of lease. Consequently, the Petitioner has to necessarily hand-over the possession of the property to the respondent/temple authorities, for such purpose only, the impugned order has been passed, calling upon him to do so. I do not find any irregularity or illegality in the impugned order. Accordingly, this Writ Petition fails and stands dismissed. Consequently, connected Miscellaneous Petition is dismissed. No costs.

Sd/-

Assistant Registrar(Writs)

/True Copy/

Sub Assistant Registrar

To

1.The Commissioner,  
Hindu Religious and Charitable Endowments Department.

2.The Joint Commissioner,  
Hindu Religious and Charitable Endowments Department,  
Madurai.

3.The Assistant Commissioner/Executive Officer,  
Arulmighu Koodal Alagar Thirukkoil,



+1 cc to Mr. N.SATHISH BABU, Advocate, Sr.No:3034

+1 cc to Mr. S.MANOHAR , Advocate, Sr.No:3286

+1cc to M/S Special Government Pleader, Sr No.3092

vsn

MAS/GT:01.02.2017:3P/7C/

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**6519.01.2017**