

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.09.2018

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

W.P.Nos.21290 to 21293 of 2018

and

W.M.P.Nos.24956 to 24963 of 2018

M.Sampath

.. Petitioner

in W.P.No.21290 of 2018

S.Ravi

.. Petitioner

in W.P.No.21291 of 2018

S.R.Ahmed Sulaiman

.. Petitioner

in W.P.No.21292 of 2018

S.Raja (Rajarajan)

.. Petitioner

in W.P.No.21293 of 2018

Vs

1.The Commissioner,

H.R & C.E Administrative Department,
Chennai - 600 034.

2.The Assistant Commissioner,

H.R.& C.E Administrative Department,
Kanchipuram.

3.The Executive Officer,

Arulmigu Thirukachi Nambigai &
Varadarajaperumal Temple,
Poonamallee,
Chennai - 600 056.

.. Respondents in all W.Ps

Writ Petitions filed under Article 226 of the Constitution of India, praying to issue a writ of certiorari, thereby call for the records of the 3rd respondent order dated 03.07.2018 and quash the same.

For Petitioners : Mr.M.Radhakrishnan
for Mr.K.Jayaraman
(in all W.Ps)

For Respondents : Mr.M.Maharaja
Special Government Pleader
(in all W.Ps)

C O M M O N O R D E R

These writ petitions have been filed by the petitioners to quash the order passed by the third respondent dated 03.07.2018.

2. The case of the petitioners is that they earlier approached this Court by filing WP.Nos.30515, 30516, 30517 and 30518 of 2013, seeking a direction to the third respondent therein to fix fair rent. This Court, by order dated 20.03.2018, disposed of the said writ petitions, directing the respondents therein to fix the rent in accordance with Section 34-A of the Tamil Nadu Hindu Religious and Charitable Endowments Act, and communicate the same to the petitioners herein. However, the respondents without constituting a committee, straight away fixed exorbitant sum as rent including arrears and communicated the same to the petitioners. Hence, the petitioners are before this Court.

3. Mr.M.Maharaja, learned Special Government Pleader appearing for the respondents, on instructions, submitted that now there is a committee, which shall consider the claim of the petitioners and hence the petitioners may be directed to appear before the committee with proper representations along with necessary documents within a time frame to be fixed by this Court and on such appearance, the same would be considered on merits and in accordance with law.

4. Recording the submission so made by the learned Special Government Pleader appearing for the respondents, the petitioners are directed to appear before the Committee with proper representations along with necessary documents, including the details with regard to the superstructure constructed by the petitioners, within a period of two weeks from the date of receipt of a copy of this order. On such appearance, the same shall be considered, within a period of four weeks by the committee constituted by the respondents and pass appropriate orders and fix fair rent and thereafter, raise the demands.

5. With the above direction, the writ petitions stand disposed of. However, there shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

ms

To

1.The Commissioner,
H.R & C.E Administrative Department,
Chennai - 600 034.

2.The Assistant Commissioner,
H.R.& C.E Administrative Department,
Kanchipuram.

3.The Executive Officer,
Arulmigu Thirukachi Nambigai &
Varadarajaperumal Temple,
Poonamallee,
Chennai - 600 056.

+4cc to M/s.K.Jayaraman, Advocate Sr.Nos.66048,66049,66050,66051
+1cc to The Government Pleader Sr.No.65592

W.P.Nos.21290 to 21293 of 2018
and

W.M.P.Nos.24956 to 24963 of 2018

CP (CO)
CSL/08.11.2018



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