

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 10.09.2018
CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.Nos.21756 to 21758 of 2018 and
W.M.P.Nos.25515 to 25520 of 2018

- 1.M.Kasinathan ... Petitioner in W.P.No.21756 of 2018
2.A.Amulraj ... Petitioner in W.P.No.21757 of 2018
3.Kulandai Arulselvi ... Petitioner in W.P.No.21758 of 2018

Vs

- 1.The Commissioner,
Tamil Nadu Hindu Religious and
Charitable Endowments Department,
No.118, Uthamar Gandhi Road,
Nungambakkam, Chennai 600 034.
2.The Joint Commissioner,
Tamil Nadu Hindu Religious and
Charitable Endowments Department,
No.118, Uthamar Gandhi Road,
Nungambakkam, Chennai 600 034.
3.The Executive Officer,
Arulmigu Margasagayeeswarar Thirukoil,
Maduravoyal, Chennai 600 095.
Office at : Arulmigu Kurugaleeswarar Thirukoil,
Perumal Koil Street, Koyambedu,
Chennai 600 107. ... Respondents in all W.Ps

PRAYER in W.P.No.21756 of 2018 : Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records in Notice dated 05.06.2018 issued by the third respondent and quash the same and consequently direct the respondents 2 and 3 to accept the petitioner's offer letter 18.04.2018 and fix and demand the fair rent and other payable charges for the land of 2337 Sq.ft., to the exclusion of the house building, situated at Plot No.10, First Street, Thiruvalluvar Nagar, Maduravoyal, Chennai 600 095 under Section 34-A of the HR & CE Act, and permit the petitioner to remit the same to the third respondent as per G.O.No.340 dated 06.08.2007, Hindu Religious and Charitable Endowment

Department, Tamil Development Charitable Institutions and Information Department in twelve equal monthly instalments.

PRAYER in W.P.No.21757 of 2018 : Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records in Notice dated 05.06.2018 issued by the third respondent and quash the same and consequently direct the respondents 2 and 3 to accept the petitioner's offer letter 18.04.2018 and fix and demand the fair rent and other payable charges for the land of 1085 Sq.ft., to the exclusion of the house building, situated at No.2 (Plot No.45), Second Street, Thiruvalluvar Nagar, Maduravoyal, Chennai 600 095 under Section 34-A of the HR & CE Act, and permit the petitioner to remit the same to the third respondent as per G.O.No.340 dated 06.08.2007, Hindu Religious and Charitable Endowment Department, Tamil Development Charitable Institutions and Information Department in twelve equal monthly instalments.

PRAYER in W.P.No.21758 of 2018 : Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records in Notice dated 05.06.2018 issued by the third respondent and quash the same and consequently direct the respondents 2 and 3 to accept the petitioner's offer letter 18.04.2018 and fix and demand the fair rent and other payable charges for the land of 1200 Sq.ft., to the exclusion of the house building, situated at Plot No.2, Second Street, Thiruvalluvar Nagar, Maduravoyal, Chennai 600 095 under Section 34-A of the HR & CE Act, and permit the petitioner to remit the same to the third respondent as per G.O.No.340 dated 06.08.2007, Hindu Religious and Charitable Endowment Department, Tamil Development Charitable Institutions and Information Department in twelve equal monthly instalments.

For Petitioners : Mr.C.Subramaniam

For Respondents : Mr.M.Maharajan,
Special Government Pleader

C O M M O N O R D E R

The petitioners have come up with these writ petitions to call for the records in Notice dated 05.06.2018 issued by the third respondent and quash the same and consequently direct the respondents 2 and 3 to accept the petitioners' offer letter 18.04.2018 and fix and demand the fair rent and other payable charges for the petitioners land under Section 34-A of the HR & CE Act, and permit the petitioners to remit the same to the third respondent as per G.O.No.340 dated 06.08.2007, in twelve equal monthly instalments.

2. When the writ petitions are taken up for consideration, the learned counsel for the petitioners as well as the learned Special Government Pleader appearing for the respondents fairly submitted that the petitioners may be directed to submit a representation for leasing out the property and if such representation being made, then the authorities be directed to dispose of the same on merits. Payments, if any, payable by the petitioners in instalments, be also considered while disposing the representation.

3. The above submission made on behalf of the petitioners as well as the respondents is hereby recorded. There shall be a direction to the petitioners to submit a representation to the third respondent, within a period of two weeks from the date of receipt of a copy of this order. On such representation being filed, the third respondent shall consider the same and pass appropriate orders on merits and in accordance with law, after affording due opportunity of hearing to the petitioners as well as any of the interested parties, within a period of two weeks thereafter.

4. Accordingly, these writ petitions stand disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar (CO)

//True Copy//

Sub Assistant Registrar

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To

1.The Commissioner,
Tamil Nadu Hindu Religious and
Charitable Endowments Department,
No.118, Uthamar Gandhi Road,
Nungambakkam, Chennai 600 034.

2.The Joint Commissioner,
Tamil Nadu Hindu Religious and
Charitable Endowments Department,
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Maduravoyal, Chennai 600 095.
Office at : Arulmigu Kurugaleeswarar Thirukoil,
Perumal Koil Street, Koyambedu,
Chennai 600 107.

+3 cc to Mr.C.Subramanian, Advocate Sr.No.62540,62541,62542

+1 cc to The Special Government Pleader SR.No.63149

W.P.Nos.21756 to 21758 of 2018

CSL/17.10.2018



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