



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.01.2018

CORAM :

THE HONOURABLE MR.JUSTICE V.BHARATHIDASANWrit Petition (MD) Nos.1444 to 1453 of 2018andW.M.P (MD) Nos.1506 to 1515 of 2018

WEB COPY

Jeyashree ... Petitioner in WP (MD) No.1444/2018
M.Santharam ... Petitioner in WP (MD) No.1445/2018
M.Vijayakumar ... Petitioner in WP (MD) Nos.1446, 1447/2018
Udayakumar ... Petitioner in WP (MD) No.1448/2018
DuraiPandi ... Petitioner in WP (MD) No.1449/2018
R.Bala Subramanian ... Petitioner in WP (MD) No.1450/2018
A.Vijay Babu ... Petitioner in WP (MD) No.1451 /2018
A.Gomathi Shankar ... Petitioner in WP (MD) Nos.1452 and 1453/2018

Vs.

The Joint Commissioner/Executive Officer,
Arulmigu Meenakshi Sundareswarar Temple,
Madurai. ... Respondent in all Petitions

Prayer in WP (MD) Nos.1444 to 1453/2018:-

Writ Petitions are filed under Article 226 of the Constitution of India praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records of the respondent dt.30/12/2017 in proceedings Na.ka.No.2925/2017/E.2 quash the same as the same is arbitrary ultravires in violation of principles of natural justice audi alteram partem and consequently direct the respondent to demand rent in consonance with G.O.M.S.No.456 Tamil Development Hindu Religious and Charitable Endowment News dated 9/11/2007 in respect of Shop Nos.166-166A Amman Sannathi Street Shops Nos.94, 95, 98 and 99, Atchaya Mandapam, Shop Nos.107-108, 103-104, 167 and 106 East Chitrai Street, Shop No.201 and 201-A, Ezhukadal Street, Madurai -1 respectively.

For Petitioners : Mr.R.G.Shankar Ganesh
(in all the Petitions)
For Respondent : Mr.V.R.Shanmuganathan,
(in all the Petitions) Special Government Pleader.

COMMON ORDER

These writ petitions have been filed challenging the order of the respondent dated 30.12.2017 directing the petitioners to pay revised rent to their premises.

2.The main grievance of the petitioners is that without furnishing the order passed by the fair rent committee and the calculation memo and without giving an opportunity to the petitioners to raise their objections, the respondent straight away has passed the impugned order directing the petitioners to pay the revised rent.

3.Learned Special Government Pleader appearing for the respondent would fairly submit that while passing the impugned order, the respondent has not considered the objections of the petitioners.

4.In view of the above, the impugned order is directed to be treated as a show cause notice and the respondent is directed to give calculation memo to the petitioners on receipt of the same, the petitioners are directed to submit their objections within one week from the date of receipt of the calculation memo. If any such objection is received, the respondent is directed to consider the same and pass appropriate orders, on merits and in accordance with law, within a period of two weeks thereafter.

5.With the above direction, the writ petitions are disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(C.O)

/True Copy/

Sub-Assistant Registrar

To
The Joint Commissioner/Executive Officer,
Arulmigu Meenakshi Sundareswarar Temple, Madurai.
+One cc to Mr.R.G.Shankar Ganesh, Advocate, SR.No.44273
sms
RL/3C/2P/SKN/RSK/SAR4/13/2/2018

Writ Petition (MD) Nos.1444 to 1453 of 2018