



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.02.2018

CORAM :

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

WEB COPY

Writ Petition (MD) Nos.2030 to 2042 of 2018
and

W.M.P(MD)Nos.2253 to 2259 and 2261 to 2265 of 2018

In W.P(MD)No.2030 of 2018

K.Ganesan

... Petitioner

Vs.

The Joint Commissioner/Executive Officer,
Arulmigu Meenakshi Sundareswarar Temple,
Madurai.

... Respondent

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call records of the respondent dt.01/07/2017 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 No.64, Pudumandapam, Madurai-1.

For Petitioners : Mr.R.G.Shankar Ganesh

For Respondent : Mr.V.R.Shanmuganathan,
Special Government Pleader.

COMMON ORDER

These writ petitions have been filed challenging the orders of the respondent dated 01.07.2017 and 30.12.2017 directing the petitioners to pay revised rent to their premises.

2.The main grievance of the petitioners is that without giving the order passed by the fair rent committee, calculation memo and without giving an opportunity to the petitioners to give 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 orders are directed to be treated as show cause notice and the respondent is directed to give calculation memo to the petitioners and 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 allowed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar

To

The Joint Commissioner/Executive Officer,
Arulmigu Meenakshi Sundareswarar Temple,
Madurai.

+1cc to Mr. R. G. Shankar Ganesh, Advocate Sr. No. 45594

SMS

VB/SKN/RSK/SAR2/13.02.2018/2P/3C

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