



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.11.2019

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 30542 of 2019

Jayanthi

... Petitioner

Vs.

1. The Assistant Commissioner,
Hindu Religious and Charitable Endowment Board,
Dharmapuri District,
Dharmapuri.

2. The Inspector/ Takkar,
Arulmigu Ponniyamman Thirukovil,
Thoppadikuppam Village,
Pochampalli Taluk,
Krishnagiri District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records of the Second Respondent in Lease Hold Right No. P. 1429 dated 15.10.2019 pertaining to auctioning of the temple land measuring 2.68.50 hectares and 0.57.57 hectares comprised in Survey Nos.532 and 533 respectively at Thoppadikuppam (patta No. 798) and quash the same and consequently, direct the Respondents to follow the procedures contemplated under the Tamilnadu Transparency in Tenders Act, 1998.

For Petitioner :Mr. V. Vijayashankar

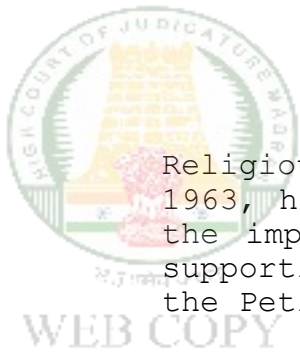
For Respondents :Mr. M. Maharaja

Special Government Pleader (HR & CE)

O R D E R

The Petitioner, who was in occupation of the land belonging to the Temple of the Second Respondent, has challenged the auction notice dated 15.10.2019 issued by the Second Respondent for leasing the same on the ground that the requirements of Rule 4 of the Tamil Nadu Religious Institutions (Lease of Immovable Property) Rules, 1963, has not been followed.

2. The Second Respondent has filed a memo dated 25.11.2019 stating that the requirements in Rule 4 of the Tamil Nadu



Religious Institutions (Lease of Immovable Property) Rules, 1963, has been fully complied for conducting auction pursuant to the impugned notice dated 15.10.2019 and has also produced the supporting documents in proof of the same. Learned Counsel for the Petitioner has acknowledged its receipt, which is recorded.

3. It is also informed that after the auction was over, the Petitioner, who had participated in the same, has made an endorsement in the concerned register to hand over the lands back to the Temple so as to deliver the same to the successful bidder and abide by the prescribed conditions. Learned Counsel for the Petitioner, on instructions, states that the Petitioner would by 15.12.2019 vacate from the premises accordingly.

4. Recording the submissions made by the Learned Counsel for both sides, the Writ Petition is disposed. Consequently, connected Miscellaneous Petition is closed. No costs.

-s/d-

Assistant Registrar(CS-IV)

True Copy

Sub-Assistant Registrar

gsa/vjt
To

1. The Assistant Commissioner,
Hindu Religious and Charitable Endowment Board,
Dharmapuri District,
Dharmapuri.
2. The Inspector/ Takkar,
Arulmigu Ponniyamman Thirukovil,
Thoppadikuppam Village,
Pochampalli Taluk,
Krishnagiri District.

+1 CC to Mr. Vijayashankar, Advocate sr 99790.
+1 CC to Govt. Pleader sr 100112.

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MG(CO)
SP(13/01/2020)