



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

Monday, the Twenty Ninth day of April Two Thousand Nineteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

WMP(MD) No.5494 of 2019
IN WP(MD) No.8820 of 2018

THE HEREDITARY TRUSTEE,
A/M.MARIAMMAN KOVIL,
ALLITHURAI ROAD,
SRIRANGAM, TIRUCHIRAPALLI,
REP.BY MR.T.R.RAMAKODI GUPTHA.

... PETITIONER/ 2nd RESPONDENT/
2nd RESPONDENT

Vs

1 HARI HARAN
2 VIDHYA LAKSHMI
3 R.SHANTHI
4 MUTHAIYAN
5 SHANMUGAM
6 BATHIRI NARAYAN
7 PHILOMIN SHEELA
8 VADIVEL
9 HEMA NIJANTHAN
10 VENKATESH
11 PARIMANAN
12 SOMASUNDARAM
13 MUTHAIYAN
14 VAIRAMANI

... RESPONDENTS/ PETITIONERS/
PETITIONERS/

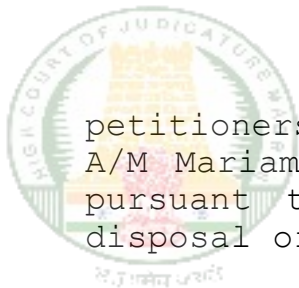
15 THE JOINT COMMISSIONER,
HR & CE DEPARTMENT,
THIRUVANIKOIL,
TIRUCHIRAPALLI.

.... 15th RESPONDENT/ 1st RESPONDENT/
1st RESPONDENT

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to vacate the interim injunction granted on 20/04/2018, in WMP(MD) No.8250 of 2018 in WP(MD)No.8820 of 2018.

Prayer in WMP(MD) . 8250/ 2018 :

To grant an order of injunction restraining the respondents or their men or their agents or their assignees or their subordinates or anybody claiming under them from disturbing or evicting the



petitioners peaceful possessions of the shops no.2 to 16 situated at A/M Mariamman temple, Allithurai, Srirangam Taluk, Trichy District pursuant to the 2nd respondents notice dated 20/09/2016, pending disposal of the above writ petition.

Prayer in WP(MD). 8820/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus forbearing respondents or their men or their agents or their assignees or their subordinates or anybody claiming under them from interfere with the peaceful possessions enjoyment or from evicting from the shops no.2 to 16 situated at S.F.No.235 Allithurai, Srirangam Taluk, Trichy District pursuant to the 2nd respondents notice dated 20/09/2016.

ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.P.THIYAGARAJAN, Advocate for the petitioner and of Mr.N.R.BALAJI, Advocate for R1 to R14, the court made the following order:-

The interim injunction already granted by this Court is modified. The writ petitioners are occupants of the shops belonging to the second respondent temple. The Joint Commissioner, Hindu Religious and Charitable Endowments Department, Trichy by order dated 03.08.2018 has fixed the fair rent for the shops occupied by the writ petitioners. The counsel for the temple points out that for the last one year not even a single pie has been paid by the writ petitioners. The petitioners are directed to pay 50% of the rental arrears within a period of four weeks and the remaining 50% of the rental arrears within a period of four weeks thereafter. If this is not complied with, the interim order granted will stand automatically vacated and W.M.P.(MD)No.8520 of 2018, stands dismissed.

sd/-
29/04/2019

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO
THE JOINT COMMISSIONER, HR & CE DEPARTMENT,
THIRUVANIKOIL, TIRUCHIRAPALLI.

+1. C.C. to Mr.N.R.BALAJI, Advocate, Sr No.8044
+1CC TO Mr.P.THIYAGARAJAN, Advocate, Sr No.7774

ORDER IN
WMP(MD) No.5494 of 2019 IN
WP(MD) No.8820 of 2018
Date :29/04/2019