

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.12.2020

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P.No.19718 of 2011
and
MP.No.1 of 2011

K.Jagannathan

..Petitioner

Vs

1. The Secretary,
Hindu Religious And Endowment Board,
Government of Tamil Nadu, Fort St. George,
Chennai-9.
2. The Commissioner,
Hindu Religious And Endowment Board,
Government of Tamil Nadu, Fort St. George,
Chennai-9.
3. The Joint Commissioner,
Hindu Religious And Endowment Board,
Government of Tamil Nadu, Mayiladuthurai.
4. The Executive Officer,
Arulmigu Markka Sagaya Swami Temple,
Moovalur, Mayiladuthurai, Tiruvarur District.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to Writ of Certiorarified Mandamus, calling for the records in Se.Mu.Na.Ka.No.4292/ 2011/ E1 dated 28.07.2011 on the file of the third respondent and quash the same as such order is vitiated by an error apparent on face of the record, further directing the third respondent to fix the lease rent according to the law and procedure laid down for the fixing the land rent and directing the fourth respondent to collect such monthly rent after it is refixed.

For Petitioner : Mr.S.A.Rajan

For Respondents : Mr.M.Karthikeyan
Special Government Pleader for
R1 to R3

O R D E R

Heard Mr.S.A.Rajan, learned counsel for the petitioner and Mr.M.Karthikeyan, learned Special Government Pleader for R1 to R3.

2. Both learned counsel submit that though the petitioner has passed away on 02.02.2013, admittedly his son has stepped into his shoes and is occupying the property at Moovalur Village, Myladuthurai Taluk, Nagapattinam District belonging to the 4th respondent temple i.e.Arulmighu Markkasagaya Swamy Temple. Fair rent has been fixed by the Committee in terms of Section 34-A of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959 (in short 'Act') and as on date the petitioner (his son as legal heir) and the respondents are on amicable terms.

3. Recording the aforesaid, this writ petition is closed. Connected miscellaneous petition is closed. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Secretary,
Hindu Religious And Endowment Board,
Government of Tamil Nadu, Fort St. George,
Chennai-9.
2. The Commissioner,
Hindu Religious And Endowment Board,
Government of Tamil Nadu, Fort St. George,
Chennai-9.
3. The Joint Commissioner,
Hindu Religious And Endowment Board,
Government of Tamil Nadu, Mayiladuthurai.
4. The Executive Officer,
Arulmigu Markka Sagaya Swami Temple,
Moovalur, Mayiladuthurai, Tiruvarur District.

+1cc to the Government Pleader(HR&CE), S.R.No.39418

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SR-II (CO)

RV(31/12/2020)