

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.07.2020

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P.No.8909 of 2020

and

W.M.P.Nos.10851 & 10854 of 2020

1.D.Srinivasan,
S/o.Duraisamy,
No.160, Siruvani Main Road,
Perur, Coimbatore - 10.

2.M.Raghuram,
S/o.Munusamy,
No.2, Indira Nagar,
Singaa Nallur
Coimbatore - 641 005.

3.K.Mohan
S/o.Kathirvel
No.28A, Chinnakoil Veethi
Perur, Coimbatore - 10

4.A.Valarmathy
W/o.Arunachalam
M2, Siruvani Main Road
Perur, Coimbatore.

... Petitioners

Vs

1.The Commissioner
Hindu Religious and Charitable Endowments Department
119, Nungambakkam High Road,
Nungambakkam, Chennai-600 034.

2.The Fit Person
A/m. Patteeswaraswamy Temple
Perur, Coimbatore.

3.The Assistant Commissioner/Executive Officer
A/m. Patteeswaran Swamy Temple
Perur, Coimbatore.

.. Respondents

Prayer:

Writ Petition filed under Section Article 226 of the Constitution of India praying Writ of Mandamus, directing the respondents to grant the extension of the period of lease tenure by 8 months from the date of reopening of the temple for public

worship or in alternative, to refund 1/3rd of the lease premium paid by the petitioners.

For Petitioners : Mr.V.Srikanth

For Respondents : Mr.Karthikeyan
Special Government Pleader, for R1
Mr.R.Bharanidaran, for R2 & R3

O R D E R

This matter is taken up for hearing through Video-Conferencing mode.

2. Mr.Karthikeyan, learned Special Government Pleader takes notice for the 1st respondent. Mr.R.Bharanidaran, learned counsel takes notice for the respondents 2 & 3. By consent of the parties, the main writ petition is taken up for final disposal at the admission stage itself.

3. The writ petition is filed seeking for a Writ of Mandamus to direct the respondents to grant the extension of the period of lease tenure by 8 months from the date of reopening of the temple for public worship or in alternative, to refund 1/3rd of the lease premium paid by the petitioners.

4. Heard both sides.

5. It is seen that the petitioners have taken on lease of the temple property to run certain shops and for the purpose of certain rituals at the temple called Arulmighu Patteeswaraswamy Temple, Perur, Coimbatore, and the lease period ended on 30.06.2020. The petitioners grievance is that due to the present unprecedented situation of the spread of Covid-19 all throughout the world and this country as well, they could not run their business for the past four months as the Government has announced lock down for continuous period. Therefore, they contend that the respondents 2 and 3 should consider and extend the lease period beyond 30.06.2020. Expressing such request, they made a representation on 24.04.2020. The said representation is sought to be disposed of through this Writ Petition.

6. Considering the above stated facts and circumstances, this Court is of the view that the above representation made by the petitioners has to be considered pragmatically, taking note of the present crisis, whereby undoubtedly, the business of these petitioners would have been terribly affected.

7. Accordingly, this Writ Petition is disposed of by directing the respondents to consider the representation of the petitioners and pass orders on the same in the light of the observation made in this writ petition within a period of four weeks from the date of receipt of a copy of this order. Till an order is passed on the representation, the petitioners' possession shall not be disturbed, if they are still in possession. No costs. Consequently, connected miscellaneous petitions are closed.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

vsi/mk
To

- 1.The Commissioner
Hindu Religious and Charitable Endowments Department
119, Nungambakkam High Road,
Nungambakkam, Chennai-600 034.
- 2.The Fit Person
A/m. Patteeswaraswamy Temple
Perur, Coimbatore.
- 3.The Assistant Commissioner/Executive Officer
A/m. Patteeswaran Swamy Temple
Perur, Coimbatore.

सत्यमेव जयते

W.P.No.8909 of 2020

MR (CO)
SP (29/07/2020)

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