



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.01.2020

CORAM:

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P (MD)No.1395 of 2020

and

W.M.P (MD)No.1130 of 2020

WEB COPY

N.Savithiri

... Petitioner

Vs.

1.The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
B1 Road, Ellis Nagar,
Madurai - 625 016.

2.The Executive Officer,
Arulmigu Natarajar Temple,
Nilakottai,
Nilakottai Taluk,
Dindigul

District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records of the impugned order of the second respondent dated 22.10.2019 and quash the same as illegal and consequently directing the second respondent to fix the fair rent to the petitioner's house as per the Government Order passed in G.O. (MS)No.456 Tamil Development, Religious and Information (RE 4-2) Department dated 09.11.2007 by considering the representation of the petitioner, dated 27.11.2018.

For Petitioner	: Mr.C.Guhaseelarupan
For R-1	: Mr.V.R.Shanmuganathan, Special Government Pleader
For R-2	: Mr.M.Muthugeethaiyan

ORDER

Mr.V.R.Shanmuganathan, learned Special Government Pleader takes notice for the first respondent and Mr.M.Muthugeethaiyan, learned counsel takes notice for the second respondent.

2. By consent of both parties, the Writ Petition is taken up for final disposal.

3. The challenge in this writ petition is to the demand notice of the second respondent dated 22.10.2019 wherein the fair rent of Rs.4198/- per month from 01.07.2016 was demanded for the property in



occupation of the petitioner. As per the impugned order, if the said amount is not paid, proceedings under Sections 78 and 79 of the HR & CE Act will be initiated.

4. After certain deliberations, it was agreed that the petitioner would pay the arrears of rent payable as on date ie., up to 31.01.2020 in installments. The petitioner has also pleaded that the husband of the petitioner is only a Security Guard and does not have enough money etc.

5. Considering the petitioner's request, this Court is of the opinion that the petitioner may be allowed to pay the arrears of rent payable up to 31.01.2020 in six equal monthly installments. It is made clear that the current rent should also be paid along with the installment on or before 10th of every English Calendar month. The first installment will commence from 10th February, 2020. In the event of any default in paying the installment or monthly rent, the concession granted to the petitioner will be withdrawn and the impugned notice will revive.

With the above direction, the writ petition is disposed of. No Costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

pm

To

1.The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
B1 Road, Ellis Nagar,
Madurai - 625 016.

2.The Executive Officer,
Arulmigu Natarajar Temple,
Nilakottai,
Nilakottai Taluk,
Dindigul District.

+1 CC to Mr.C.GUHASEELARUPAN, Advocate (SR-2763[F]dated
24/01/2020)

+1 CC to Mr.M.MUTHUGEETHAYAN, Advocate (SR-2922[F]dated
24/01/2020)

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VB(29.01.2020) 2P 5C

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