



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.08.2020

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD)No.3745 of 2020

and

W.M.P(MD) .Nos. 3181 and 4229 of 2020

S.Mariappan

... Petitioner

Vs.

The Executive Officer

Arul Mighu Navaneethakrishnaswamy Thirukovil

Veera Keralampudur Town & Taluk

Tirunelveli District

... Respondent

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records relating to the impugned demand of the respondent dated 17.10.2019 and the consequential impugned order of the respondent dated 27.11.2019, quash the same insofar as demanding arrears of rent determined for the petitioner as illegal.

For Petitioner

: Mr.K.Appadurai

For Respondent

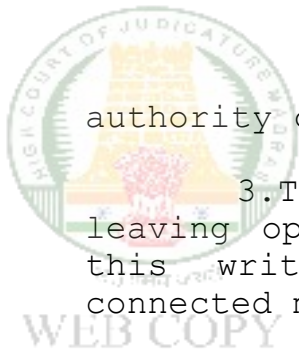
: Mr.T.S.R.Venkataramana

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O R D E R

Heard the learned counsel on either side.

2. What is challenged in the impugned writ petition is only a communication from the respondent calling upon the petitioner to hand over possession of the land in question. The impugned order reads that if the petitioner does not do so, action will be taken under Section 78 of the Hindu Religious and Charitable Endowment Act. The respondent had himself made it clear that he will take recourse only to due process of law. Therefore, the petitioner cannot have any cause of action at this stage. As and when the respondent takes action under Section 78 of the HR & CE Act, it is open to the petitioner to place all his contentions before the



authority concerned.

3.The writ petition has been prematurely filed. Hence, leaving open all the contentions and defences of the petitioner, this writ petition stands dismissed. No costs. Consequently connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

msa

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

+1 CC to M/s.T.S.R. VENKATRAMANA, Advocate (SR-14129[F] dated 14/08/2020)

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