



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.06.2021

CORAM:

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THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD).No.7812 of 2021

and

W.M.P.(MD).No.5951 of 2021

Nambirajan

... Petitioner

Vs.

1. The Joint Commissioner,
The Hindu Religious and Charitable Endowments Department,
(Arulmigu Sangara Rameshwarar Thirukovil, Thoothukudi,
Tirunelveli District.
2. The Assistant Commissioner,
The Hindu Religious and Charitable Endowments Department,
(Arulmigu Sangara Rameshwarar Thirukovil, Thoothukudi,
Thoothukudi District.
3. The Executive Officer,
Arulmigu Sangara Rameshwarar Thirukovil, (Thoothukudi),
Thoothukudi District. ... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, for the issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the third respondent, dated 08.02.2021 and quash the same as illegal and arbitrary and consequently direct the respondents to fix the fair rent by following G.O.Ms.No.456, dated 09.11.2007.

For Petitioner : Mr.S.Muthumalai Raja

For R-1 & R-2 : Mr.M.Lingadurai
Government Advocate (Civil)

For R-3 : Mr.Muthugeethayan

ORDER

When the matter came up for admission on 15.04.2021, this Court passed the following order:-

"Mr.K.P.Narayanakumar, learned Special
Government Pleader, takes notice for the



respondents 1 and 2. Mr.Muthugeethaiyan, learned Special Government Pleader, takes notice for the third respondent.

2. This Court does not find any ground to interfere with the impugned order passed by the third respondent. The amount has been fixed by the third respondent in accordance with law.

3. The learned counsel for the petitioner submitted that the petitioner has been running the Two wheeler service station from the year 2015 onwards and if some time is given, the petitioner is willing to deposit the amount.

4. In order to afford an opportunity to the petitioner to pay the amount fixed by the third respondent, there shall be an interim direction to the petitioner to deposit a sum of Rs.60,000/- (Rupees sixty thousand only) on or before 21.05.2021. The petitioner shall also start paying the enhanced rent fixed by the third respondent effective from April, 2021 onwards at the rate of Rs.3,000/- per month.

Post this case along with W.P. (MD) No.6380/2021 under the caption 'for reporting compliance' on 02.06.2021. If the petitioner complies with this interim direction, this Court will consider granting some more time for paying the balance amount. If the petitioner does not comply with the interim direction, this Court will have no other option except to direct the respondents to take further action in this case."

2. When the matter was taken up for hearing today, it was reported by the learned counsel appearing on behalf of the third respondent that the condition imposed by this Court has not been complied with by the petitioner.

3. In view of the above, this Court cannot give any more accommodation to the petitioner and accordingly, the present Writ



Petition stands dismissed. No costs. Consequently, the connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar (AE)

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/ /2021

Sub Assistant Registrar(CS)

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.

Tsg

To

1. The Joint Commissioner,
The Hindu Religious and Charitable Endowments Department,
(Arulmigu Sangara Rameshwarar Thirukovil, Thoothukudi,
Tirunelveli District.
2. The Assistant Commissioner,
The Hindu Religious and Charitable Endowments Department,
(Arulmigu Sangara Rameshwarar Thirukovil, Thoothukudi,
Thoothukudi District.

+1 CC to M/s.M.MUTHUGEETHAYAN, Advocate (SR-19486[F] dated 17/06/2021)

+1 CC to M/s.SPL GP (SR-19521[F] dated 17/06/2021) (SR-19734[F] dated 21/06/2021)

W.P. (MD) .No.7812 of 2021

16.06.2021

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