



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 21.01.2021

CORAM

THE HONOURABLE MR.JUSTICE **G.R.SWAMINATHAN**

W.P. (MD)No.16941 of 2020

M.Raja Ilango

: Petitioner

Vs.

1.The Joint Commissioner,
Hindu Religious and Charitable
Endowments Department,
Sivagangai.

2.The Assistant Commissioner,
Hindu Religious and Charitable
Endowments Department,
Sivagangai.

3.The Executive Officer,
Arulmighu Sokkanatha Swamy Tirukoil,
Virudhunagar.

: Respondent

PRAYER :- Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, to direct the respondents to consider and pass appropriate orders on the representation of the petitioner, dated 18.06.2019 regarding claim of tenancy by the petitioner on the property in Door No.133, Railway Feeder Road, Virudhunagar Town, Virudhunagar District belonging to the third respondent temple, namely, Arulmigu Chokkanadha Swamy Thirukoil, Virudhunagar.

For Petitioner

:Mr.N.S.Ragav

For R1 and R2

:Mr.K.P.Narayana Kumar

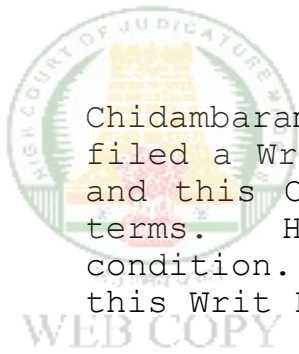
For R3

:Mr.P.Mahendran

ORDER

Heard the learned Counsel on either side.

2.The petitioner is in occupation of the petition mentioned property, which belongs to the third respondent temple. One Chidambaram was originally inducted as lessee. The said Chidambaram had taken the petitioner as sub-lessee. Chidambaram had committed default in the matter of payment of rental arrears. The said



Chidambaram, when action was taken against him by the authorities, filed a Writ Petition in W.P.(MD)No. 6895 of 2018 before this Court and this Court had granted him an interim order by putting him on terms. However, the said Chidambaram did not comply with the condition. In these circumstances, the question of entertaining this Writ Petition will not arise.

3.The petitioner's request will arise only if the petitioner is willing to clear the arrears, that had accrued in respect of the petition mentioned property. Even according to the petitioner, he is in occupation of the premises, since December'2001. Therefore, it is for the petitioner to take responsibility for clearing the arrears. When a specific question was posed to the learned Counsel for the petitioner as to whether the petitioner is ready to clear the rental arrears, a firm answer is not forthcoming. It is for the petitioner to negotiate with the respondents. No relief can be granted in this Writ Petition.

4.Accordingly, this Writ Petition is dismissed. No costs.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Cmr

To

1.The Joint Commissioner,
Hindu Religious and Charitable
Endowments Department,
Sivagangai.

2.The Assistant Commissioner,
Hindu Religious and Charitable
Endowments Department,
Sivagangai.

+1 CC to M/s.N.S,RAGAV, Advocate (SR-1905[F] dated 22/01/2021)

+1 CC to M/s.GP (SR-2012[F] dated 25/01/2021)

W.P. (MD)No.16941 of 2020

21.01.2021

DKS (CO)

NR (08/02/2021) 2P : 5C

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