



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 22.03.2021

CORAM:

THE HONOURABLE MR. JUSTICE N.KIRUBAKARAN
and
THE HONOURABLE MR. JUSTICE B.PUGALENDHI

W.P. (MD) Nos.17241 to 17243, 17245 to 17256, 17258, 17259, 17261, 17265, 17267, 17269, 17276, 17278 to 17282, 17284, 17285, 17299, 17303, 13533 & 15073 of 2019

and

W.M.P. (MD) Nos.10079 to 10084, 11604 to 11608, 12116, 13736 to 13772, 13774 to 13777, 13781 to 13797, 13808 to 13811 of 2019

K.Balasubramani

S/o.Kaliappan, Shop No.36, Kudamulukku Ninaivaranga Valagam,
Adivaram, Palani ... Petitioner in WP(MD). 17241/ 2019

Alaguraja

S/o.Arumugam, Shop No.32, Kudamulukku Ninaivaranga Valagam,
Adivaram, Palani ... Petitioner in WP(MD). 17242/ 2019

K.Balasubramani

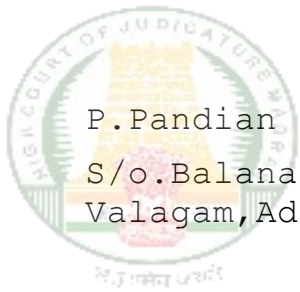
S/o.Kaliappan, Shop.No.35, Kudamulukku Ninaivaranga Valagam,
Adivaram, Palani, ... Petitioner in WP(MD). 17243/ 2019

C.V.Jeevanantham

S/o.C.Vaithianathan, Shop No.07, Kudamulukku Ninaivaranga Valagam,
Adivaram, Palani ... Petitioner in WP(MD). 17245/ 2019

C.V.Jeevanantham

S/o.C.Vaithianathan, Shop.No.8, Kudamulukku Ninaivaranga Valagam,
Adivaram, Palani ... Petitioner in WP(MD). 17246/ 2019



P.Pandian

S/o.Balanarayana Chettiar, Shop No.29, Kudamulukku Ninaivaranga
Valagam, Adivaram, Palani

... Petitioner in WP(MD). 17247/ 2019

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K.Balasubramanian

S/o.Kaliappan, Shop No.20, Kudamulukku Ninaivaranga Valagam,
Adivaram, Palani

... Petitioner in WP(MD). 17248/ 2019

R.Mariyappan

S/o.Ramasamy, Shop No.4, Kudamulukku Ninaivaranga Valagam,
Adivaram, Palani

... Petitioner in WP(MD). 17249/ 2019

K.Thangaraj

S/o.Kalimuthu, Shop No.31, Kudamulukku Ninaivaranga
Valagam, Adivaram, Palani

... Petitioner in WP(MD). 17250/ 2019

V.Subramanian

S/o.Venkatachalam Chettiar, Shop No.11, Kudamulukku Nianaivaranga
Valagam, Adivaram, Palani

... Petitioner in WP(MD). 17251/ 2019

Swaminathan

S/o.A.Alagapa Chettiar, Shop.No.14, Kudamulukku Ninaivaranga
Valagam, Adivaram, Palani.

... Petitioner in WP(MD). 17252/ 2019

G.Iyyappan

S/o.Gopal, Shop No.17, Kudamulukku Ninaivaranga Valagam, Adivaram,
Palani

... Petitioner in WP(MD). 17253/ 2019

K.Uthiram

S/o.Karuppanapilai, Shop No.2, Kudamulukku Ninaivaranga Valagam,
Adivaram, Palani

... Petitioner in WP(MD). 17254/ 2019



K.Kumar

S/o.Karuppasamy, Shop.No.33, Kudamulukku Ninaivaranga Valagam,
Adivaram, Palani.

... Petitioner in WP(MD). 17255/ 2019

K.Dhandapani

S/o.Karuppanapilai, Shop No.27, Kudamulukku Ninaivaranga Valagam,
Adivaram, Palani

... Petitioner in WP(MD). 17256/ 2019

K.Balasubramanian

S/o.Kaliappan, Shop No.21, Kudamulukku Ninaivaranga Valagam,
Adivaram, Palani

... Petitioner in WP(MD). 17258/ 2019

G.Ganesh

S/o.Gopalakrishnan, Shop.No.12, Kudamulakku Ninaivaranga Valagam,
Adivaram, Palani.

... Petitioner in WP(MD). 17259/ 2019

Senthilandavan

S/o.Alagappa Chettiar, Shop.No.13, Kudamulukku Ninaivaranga
Valagam, Adivaram, Palani

... Petitioner in WP(MD). 17261/ 2019

K.Balamurugan,

S/o.Kalimuthu, Shop.No.34, Kudamulukku Ninaivaranga Valagam,
Adivaram, Palani.

... Petitioner in WP(MD). 17265/ 2019

P.Venkatesa Pandian

S/o.Panneerselvam, Shop.No.10, Kudamulakku Ninaivaranga Valagam,
Adivaram, Palani.

... Petitioner in WP(MD). 17267/ 2019

Pandiyarajan

S/o.Panneerselvam, Shop.No.9, Kudamulakku Ninaivaranga Valagam,
Adivaram, Palani.

... Petitioner in WP(MD). 17269/ 2019

S.Senthilkumar,

S/o.Sivasankaran, Shop No.5, Kudamulukku Ninaivaranga Valagam,
Adivaram, Palani

... Petitioner in WP(MD). 17276/ 2019



Manjula

D/o.Perumal, Shop No.23, Kudamulukku Ninaivaranga Valagam,
Adivaram, Palani

... Petitioner in WP(MD). 17278/ 2019

A.Krishnan

S/o.Arunachalam. Shop No.25, Kudamulukku Ninaivaranga Valagam,
Adivaram, Palani

... Petitioner in WP(MD). 17279/ 2019

K.Gopalsamy

S/o.Krishnasamy, Shop.No.6, Kudamulakku Ninaivaranga Valagam,
Adivaram, Palani.

... Petitioner in WP(MD). 17280/ 2019

K.Balasubramanian

S/o.Kaliappan. Shop No.22, Kudamulukku Ninaivaranga Valagam,
Adivaram, Palani

... Petitioner in WP(MD). 17281/ 2019

R.Sundaresan

S/o.Rengasamy, Shop No.1, Kudamulukku Ninaivaranga Valagam,
Adivaram, Palani

... Petitioner in WP(MD). 17282/ 2019

K.Uthiram

S/o.Karuppanapillai, Shop No.3, Kudamulukku Ninaivaranga
Valagam, Adivaram, Palani

... Petitioner in WP(MD). 17284/ 2019

Namagirithayar

D/o.V.Nagaraj, Shop No.30, Kudamulukku Ninaivaranga
Valagam, Adivaram, Palani

... Petitioner in WP(MD). 17285/ 2019

K.Bakthan

S/o. Kunju Kannan, Shop No.6, Dhandapani Nilayam, Adivaram, Palani

... Petitioner in WP(MD). 17299/ 2019

A.Balasubramanian

S/o. Angamuthu Chettiar, Shop No.5, Dhandapani Nilayam, Adivaram,
Palani

... Petitioner in WP(MD). 17303/ 2019



1. B.Sureshbabu,
S/o.Baskaran Kudamuzhukku Ninaivu Valaham,Dhandapani Nilayam,
Sirukudil,Palayam Vinayakar Temple,Belonging to
Arulmighu Dhandayuthapani Swamy Thirukkoil, Palani.
2. G.Kannan,
S/o.Ganapathy Tenant of Temple Shop @ Kudamuzhukku Ninaivu
Valaham,Dhandapani Nilayam, Sirukudil,Palayam Vinayakar
Temple,Mangammal Mandapam,Old Head Office,Palani
3. P.Kannan, S/o.Paramasivam Tenant of Temple Shop@ Kudamuzhukku
Ninaivu Valaham,Dhandapani Nilayam, Sirukudil,Palayam Vinayakar
Temple,Mangammal Mandapam,Old Head Office,Palani
4. S.Muniappan,S/o. Singaravelu, Tenant of Temple Shop@
Kudamuzhukku Ninaivu Valaham,Dhandapani Nilayam,
Sirukudil,Palayam Vinayakar Temple,Mangammal Mandapam,Old Head
Office,Palani
5. Saraswathy, W/o.Srisailam Tenant of Temple Shop@ Kudamuzhukku
Ninaivu Valaham,Dhandapani Nilayam, Sirukudil,Palayam Vinayakar
Temple,Mangammal Mandapam,Old Head Office,Palani
6. S.Ramachandran,S/o.Subramaniya Iyer,Tenant of Temple Shop@
Kudamuzhukku Ninaivu Valaham,Dhandapani Nilayam,
Sirukudil,Palayam Vinayakar Temple,Mangamal Mandapam,
Old Headoffice, Palani.
7. S.Usha Rani, W/o.Sakthivel, Tenant of Temple Shop@
Kudamuzhukku Ninaivu Valaham,Dhandapani Nilayam,
Sirukudil,Palayam Vinayakar Temple,Mangammal Mandapam,
Old Head Office,Palani
8. R.D.K.Thangaraj,S/o.Kandasamy Tenant of Temple Shop@
Kudamuzhukku Ninaivu Valaham,Dhandapani Nilayam,
Sirukudil,Palayam Vinayakar Temple,Mangammal Mandapam,Old Head
Office,Palani
9. Bakthan,S/o.Kunjukannan Tenant of Temple Shop@ Kudamuzhukku
Ninaivu Valaham,Dhandapani Nilayam, Sirukudil,Palayam Vinayakar
Temple,Mangammal Mandapam,Old Head Office,Palani



10. V.Banumathy,W/o.Venkatachalam, Tenant of Temple Shop@
Kudamuzhukku Ninaivu Valaham,Dhandapani Nilayam,
Sirukudil,Palayam Vinayakar Temple,Mangammal Mandapam,
Old Head Office,Palani
11. A.Balasubramanian, S/o.Angamuthu,Tenant of Temple Shop@
Kudamuzhuku Ninaivu Valaham,Dhandapani Nilayam, Palayam
Vinayakar Temple,Mangamal Mandapam,Old Head Office,Palani
12. A.Karunanidhi,S/o.Amirtha Pandian,Tenant of Templeshop@
Kudamuzuku Ninaivu Valaham,Dhandapani Nilayam,
Sirukudil,Palayam Vinayakar Temple,Mangamal Mandapam,
Old Headoff.,Palani
13. K.Kuppusamy,S/o.Karuppana Gounder,Tenant of Templeshop@
Kudamuzuku Ninaivu Valaham,Dhandapani Nilayam,
Sirukudil,Palayam Vinayakar Temple,Mangamal Mandapam,Old
Headoff.,Palani
14. A.Balakrishnan,S/o.Azhakumari, Nadar,Tenant of Templeshop@
Kudamuzuku Ninaivu Valaham,Dhandapani Nilayam,
Sirukudil,Palayam vinayakar Temple,Mangamal Mandapam,Old
Headoff.,Palani
15. R.Muruganantham,S/o.Ramasamy, Tenant of Temple Shop@
Kudamuzhukku Ninaivu Valaham,Dhandapani Nilayam,
Sirukudil,Palayam Vinayakar Temple,Mangammal Mandapam,Old Head
Office,Palani
16. R.Muthukumar, S/o.Rajipillai, Tenant of Temple Shop@
Kudamuzhukku Ninaivu Valaham,Dhandapani Nilayam,
Sirukudil,Palayam Vinayakar Temple,Mangammal Mandapam,
Old Head Office,Palani
17. S.Lakshmanan,S/o.Sivarama Krishnasamy,Tenant of
Templeshop@kudamuzuku Ninaivu Valaham,Dhandapani Nilayam,
Palayam Vinayakar Temple,Mangamal Mandapam,Old Headoff.,Palani
18. Subburaj,S/o.Pachamuthu Tenant of Temple Shop@ Kudamuzhukku
Ninaivu Valaham,Dhandapani Nilayam, Sirukudil,Palayam
Vinayakar Temple,Mangammal Mandapam,Old Head Office,Palani
19. N.Shanmugam,S/o.Natarajchetiar, Tenant of Temple Shop@ 0
Kudamuzhukku Ninaivu Valaham,Dhandapani Nilayam,
Sirukudil,Palayam Vinayakar Temple,Mangammal Mandapam,Old Head
Office,Palani



20. P.Anghulakshmi, W/o.Sivapackiam, Tenant of Temple Shop@
Kudamuzhukku Ninaivu Valaham, Dhandapani Nilayam,
Sirukudil, Palayam Vinayakar Temple, Mangammal Mandapam, Old Head
Office, Palani
21. V.Maragatham, W/o.Vairavan, Tenant of Temple Shop@
Kudamuzhukku Ninaivu Valaham, Dhandapani Nilayam,
Sirukudil, Palayam Vinayakar Temple, Mangammal Mandapam,
Old Head Office, Palani
22. R.Subramanian, S/o.Ramasamy, Tenant of Temple Shop@
Kudamuzhukku Ninaivu Valaham, Dhandapani Nilayam,
Sirukudil, Palayam Vinayakar Temple, Mangammal Mandapam,
Old Head Office, Palani
23. N.Dhansekaran, S/o.Natrayan, Tenant of Temple Shop@
Kudamuzhukku Ninaivu Valaham, Dhandapani Nilayam,
Sirukudil, Palayam Vinayakar Temple, Mangammal Mandapam,
Old Head Office, Palani
24. V.Sharadha, W/o.Velmurugan, Tenant of Temple Shop@
Kudamuzhukku Ninaivu Valaham, Dhandapani Nilayam,
Sirukudil, Palayam Vinayakar Temple, Mangammal Mandapam,
Old Head Office, Palani
25. A.Nagarajan, S/o.Angusamy, Tenant of Temple Shop@ Kudamuzhukku
Ninaivu Valaham, Dhandapani Nilayam, Sirukudil, Palayam
Vinayakar Temple, Mangammal Mandapam, Old Head Office, Palani
26. V.Pushpavalli, W/o.Vijayakumar, Tenant of Temple Shop@
Kudamuzhukku Ninaivu Valaham, Dhandapani Nilayam,
Sirukudil, Palayam Vinayakar Temple, Mangammal Mandapam, Old Head
Office, Palani
27. G.Thirugnanasambandam, S/o.Govindaraj, Tenant of Templeshop@
Kudamuzuku Ninaivuvalaham, Dhandapani Nilayam, Palayam
Vinayakar Temple Mangamal Mandapam, Old Headoff., Palani
28. C.Kanniammal, W/o.Chinnappa Gounder, Tenant of Templeshop@
Kudamuzuku Ninaivu Valaham, Dhandapani Nilayam,
Sirukudil, Palayam Vinayakar Temple, Mangamal Mandapam,
Old Headoff., Palani
29. C.Thangavel, S/o.Chellappa Gounder, Tenant of Templeshop@
Kudamuzuku Ninaivu Valaham, Dhandapani Nilayam,
Sirukudil, Palayam Vinayakar Temple, Mangamal Mandapam,
Old Headoff., Palani



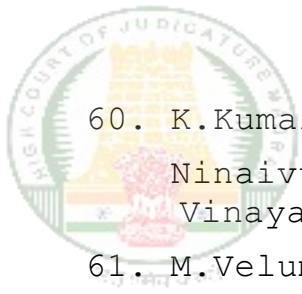
30. A.Chandrakala,W/o.Anguchamy,Tenant of Temple Shop@
Kudamuzhukku Ninaivu Valaham,Dhandapani Nilayam,
Sirukudil,Palayam Vinayakar Temple,Mangammal Mandapam,
Old Head Office,Palani
31. N.Gopal,S/o.Nithyanandham Pilliai,Tenant of Templeshop@
Kudamuzuku Ninaivu Valaham,Dhandapani Nilayam,
Sirukudil,Palayam Vinayakar Temple,Mangamal Mandapam,
Old Headoff.,Palani
32. G.Kulathaivelu,S/o.Gurunathan, Tenant of Temple Shop@
Kudamuzhukku Ninaivu Valaham,Dhandapani Nilayam,
Sirukudil,Palayam Vinayakar Temple,Mangammal Mandapam,
Old Head Office,Palani
33. D.Karthikeyan,S/o.Dhandapani, Tenant of Temple Shop@
Kudamuzhukku Ninaivu Valaham,Dhandapani Nilayam,
Sirukudil,Palayam Vinayakar Temple,Mangammal Mandapam,Old Head
Office,Palani
34. V.Periyasamy,S/o.Vilangadian, Tenant of Temple Shop@
Kudamuzhukku Ninaivu Valaham,Dhandapani Nilayam,
Sirukudil,Palayam Vinayakar Temple,Mangammal Mandapam,Old Head
Office,Palani
35. P.Manikandan,S/o.Palanisamy Tenant of Temple Shop@
Kudamuzhukku Ninaivu Valaham,Dhandapani Nilayam,
Sirukudil,Palayam Vinayakar Temple,Mangammal Mandapam,Old Head
Office,Palani
36. R.Sundaresan,S/o.Rengasamy Tenant of Temple Shop@
Kudamuzhukku Ninaivu Valaham,Dhandapani Nilayam,
Sirukudil,Palayam Vinayakar Temple,Mangammal Mandapam,
Old Head Office,Palani
37. K.Uthiram,S/o.Karuppannapillai, Tenant of Temple Shop@
Kudamuzhukku Ninaivu Valaham,Dhandapani Nilayam,
Sirukudil,Palayam Vinayakar Temple,Mangammal Mandapam,Old Head
Office,Palani.
38. R.Mariappan,S/o.Ramasamy Tenant of Temple Shop@ Kudamuzhukku
Ninaivu Valaham,Dhandapani Nilayam, Sirukudil,Palayam
Vinayakar Temple,Mangammal Mandapam,Old Head Office,Palani
39. S.Senthilkumar,S/o.Sivasankaran, Tenant of Temple Shop@
Kudamuzhukku Ninaivu Valaham,Dhandapani Nilayam,
Sirukudil,Palayam Vinayakar Temple,Mangammal Mandapam,Old Head
Office,Palani.



40. K.Gopalaswamy, S/o.Krishnaswamy, Tenant of Temple Shop@
Kudamuzhukku Ninaivu Valaham, Dhandapani Nilayam,
Sirukudil, Palayam Vinayakar Temple, Mangammal Mandapam, Old Head
Office, Palani.
41. C.V.Jeevanandham, S/o.Vaidhya Nathan, Tenant of Templeshop@
Kudamuzuku Ninaivu Valaham, Dhandapani Nilayam,
Sirukudil, Palayam Vinayakar Temple, Mangamal Mandapam, Old
Headoff., Palani
42. P.Pandiarajan, S/o.Pannerselvam, Tenant of Temple Shop@
Kudamuzhukku Ninaivu Valaham, Dhandapani Nilayam,
Sirukudil, Palayam Vinayakar Temple, Mangammal Mandapam, Old Head
Office, Palani.
43. P.Venkatesapandian, S/o.Panneer, Selvam, Tenant of
Templeshop@ Kudamuzuku Ninaivu Valaham, Dhandapani Nilayam,
Sirukudil, Palayam Vinayakar Temple, Mangamal Mandapam, Old
Headoff., Palani
44. V.Subramanian, S/o.Venkatachalam, Tenant of Templeshop@
Kudamuzuku Ninaivu Valaham, Dhandapani Nilayam,
Sirukudil, Palayam Vinayakar Temple, Mangamal Mandapam, Old
Headoff., Palani
45. G.Ganesh, S/o.Gokula Krishnan Tenant of Templeshop@
Kudamuzuku Ninaivu Valaham, Dhandapani Nilayam,
Sirukudil, Palayam Vinayakar Temple, Mangamal Mandapam, Old
Headoff., Palani
46. A.Senthilandavan, S/o.Angappan Tenant of Temple Shop@
Kudamuzhukku Ninaivu Valaham, Dhandapani Nilayam,
Sirukudil, Palayam Vinayakar Temple, Mangammal Mandapam, Old Head
Office, Palani
47. A.Swaminathan, S/o.Angappan Tenant of Temple Shop@
Kudamuzhukku Ninaivu Valaham, Dhandapani Nilayam,
Sirukudil, Palayam Vinayakar Temple, Mangammal Mandapam, Old Head
Office, Palani
48. G.Ayyappan, S/o.Gopal Tenant of Temple Shop@ Kudamuzhukku
Ninaivu Valaham, Dhandapani Nilayam, Sirukudil, Palayam
Vinayakar Temple, Mangammal Mandapam, Old Head Office, Palani
49. C.Lakshmipthyraju, S/o.Chella Muthu, Tenant of Templeshop@
Kudamuzuku Ninaivu Valaham, Dhandapani Nilayam,
Sirukudil, Palayam Vinayakar Temple, Mangamal Mandapam, Old
Headoff., Palani



50. K.Balasubramanian, S/.Kaliappan, Tenant of Templeshop@
Kudamuzuku Ninaivu Valaham, Dhandapani Nilayam,
Sirukudil, Palayam Vinayakar Temple, Mangamal Mandapam, Old
Headoff., Palani
51. P.Manjula, W/o.Perumal, Tenant of Temple Shop@ Kudamuzhukku
Ninaivu Valaham, Dhandapani Nilayam, Sirukudil, Palayam
Vinayakar Temple, Mangammal Mandapam, Old Head Office, Palani
52. S.Karupasamy, S/o.Somasundaram Tenant of Temple Shop@
Kudamuzhukku Ninaivu Valaham, Dhandapani Nilayam,
Sirukudil, Palayam Vinayakar Temple, Mangammal Mandapam, Old Head
Office, Palani
53. A.Krishnan, S/o.Arunachalam Tenant of Temple Shop@
Kudamuzhukku Ninaivu Valaham, Dhandapani Nilayam,
Sirukudil, Palayam Vinayakar Temple, Mangammal Mandapam, Old Head
Office, Palani
54. K.Dhandapani, S/o.Karuppasamy, Tenant of Temple Shop@
Kudamuzhukku Ninaivu Valaham, Dhandapani Nilayam,
Sirukudil, Palayam Vinayakar Temple, Mangammal Mandapam, Old Head
Office, Palani
55. G.Ganesh, S/o.Gokula Krishnan, Tenant of Temple Shop@
Kudamuzhukku Ninaivu Valaham, Dhandapani Nilayam,
Sirukudil, Palayam Vinayakar Temple, Mangammal Mandapam, Old Head
Office, Palani
56. P.Pandian, S/o.Palanarayanan, Tenant of Temple Shop@
Kudamuzhukku Ninaivu Valaham, Dhandapani Nilayam,
Sirukudil, Palayam Vinayakar Temple, Mangammal Mandapam, Old Head
Office, Palani
57. N.Namagirithayar, W/o.Nagarajan, Tenant of Temple Shop@
Kudamuzhukku Ninaivu Valaham, Dhandapani Nilayam,
Sirukudil, Palayam Vinayakar Temple, Mangammal Mandapam, Old Head
Office, Palani.
58. K.Thangaraju, S/o.Kandasamy Chettiar, Tenant of Templeshop@
Kudamuzuku Ninaivu Valaham, Dhandapani Nilayam,
Sirukudil, Palayam
Vinayakar Temple, Mangamal Mandapam, Old Headoff., Palani.
59. A.Alaguraja, S/o.Subramani Tenant of Temple Shop@
Kudamuzhukku Ninaivu Valaham, Dhandapani Nilayam,
Sirukudil, Palayam Vinayakar Temple, Mangammal Mandapam, Old Head
Office, Palani



60. K.Kumar, S/o.Karuppasamy, Tenant of Temple Shop@ Kudamuzhukku
Ninaivu Valaham, Dhandapani Nilayam, Sirukudil, Palayam
Vinayakar Temple, Mangammal Mandapam, Old Head Office, Palani
61. M.Velumani, S/o.Murugan, Tenant of Temple Shop@ Kudamuzhukku
Ninaivu Valaham, Dhandapani Nilayam, Sirukudil, Palayam
Vinayakar Temple, Mangammal Mandapam, Old Head Office, Palani

... Petitioners in WP(MD). 13533/ 2019

S.R.Vijayarajan

S/o.Rasupillai, 2/121, Vilpatti, Kodaikanal Taluk, Dindigul Dist

... Petitioner in WP(MD). 15073/ 2019

- Vs. -

1. The Tamilnadu Government,
Rep by the Additional Chief Secretary to Government, Tourism,
Culture and Religious Endowment Department, Fort St.George,
Chennai
2. The Commissioner, Hindu Religious and Charitable Endowments,
Nungambakkam High Road, Chennai
3. The Joint Commissioner, Hindu Religious and Charitable
Endowments, Administration Department, Madurai
4. The Joint Commissioner/executive Officer,, A/m.Dhandayuthapani
Swamy Thirukovil, Palani, Dindigul Dist

... Respondents in WP(MD). 17241/ 2019

1. The Tamilnadu Government, Rep by the Additional Chief
Secretary to Government, Tourism, Culture and Religious
Endowment Department, Fort St.George, Chennai
2. The Commissioner, Hindu Religious and Charitable Endowments,
Nungambakkam High Road, Chennai
3. The Joint Commissioner, Hindu Religious and Charitable
Endowments, Administration Department, Madurai
4. The Joint Commissioner/executive Officer,, A/m.Dhandayuthapani
Swamy Thirukovil, Palani, Dindigul Dist

... Respondents in WP(MD). 17242/ 2019

1. The Tamilnadu Government, Rep by the Additional Chief Secretary
to Government, Tourism, Culture and Religious Endowment
Department, Fort St.George, Chennai



2. The Commissioner, Hindu Religious and Charitable Endowments,
Nungambakkam High Road, Chennai

3. The Joint Commissioner, Hindu Religious and Charitable
Endowments, Administration Department, Madurai

4. The Joint Commissioner/executive Officer,, A/m.Dhandayuthapani
Swamy Thirukovil, Palani, Dindigul Dist

... Respondents in WP(MD). 17243/ 2019

1. The Tamilnadu Government, Rep by the Additional Chief Secretary
to Government, Tourism, Culture and Religious Endowment
Department, Fort St.George, Chennai

2. The Commissioner, Hindu Religious and Charitable Endowments,
Nungambakkam High Road, Chennai

3. The Joint Commissioner, Hindu Religious and Charitable
Endowments, Administration Department, Madurai

4. The Joint Commissioner/executive Officer,, A/m.Dhandayuthapani
Swamy Thirukovil, Palani, Dindigul Dist

... Respondents in WP(MD). 17245/ 2019

1. The Tamilnadu Government, Rep by the Additional Chief Secretary
to Government, Tourism, Culture and Religious Endowment
Department, Fort St.George, Chennai

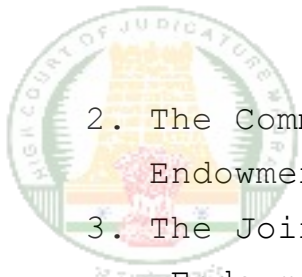
2. The Commissioner, Hindu Religious and Charitable Endowments,
Nungambakkam High Road, Chennai

3. The Joint Commissioner, Hindu Religious and Charitable
Endowments, Administration Department, Madurai

4. The Joint Commissioner/executive Officer,, A/m.Dhandayuthapani
Swamy Thirukovil, Palani, Dindigul Dist

... Respondents in WP(MD). 17246/ 2019

1. The Tamil Nadu Govt. Rep by the Secretary to Govt,
Tourism,Culture and Religious Endowment Department,Fort
St.George,Chennai-9



2. The Commissioner Hindu Religious and Charitable Endowments, Nungambakkam High Road, Chennai-34
3. The Joint Commissioner Hindu Religious and Charitable Endowments, Administration Department, Madurai.

4. The Joint Commissioner/executive Officer, A/m.Dhandayuthapani Swamy Thirukoil, Palani, Dindigul District

... Respondents in WP(MD). 17247/ 2019

1. The Tamilnadu Government, Rep by the Additional Chief Secretary to Government, Tourism, Culture and Religious Endowment Department, Fort St.George, Chennai
2. The Commissioner, Hindu Religious and Charitable Endowments, Nungambakkam High Road, Chennai
3. The Joint Commissioner, Hindu Religious and Charitable Endowments, Administration Department, Madurai
4. The Joint Commissioner/executive Officer,, A/m.Dhandayuthapani Swamy Thirukovil, Palani, Dindigul Dist

... Respondents in WP(MD). 17248/ 2019

1. The Tamilnadu Government, Rep by the Additional Chief Secretary to Government, Tourism, Culture and Religious Endowment Department, Fort St.George, Chennai
2. The Commissioner, Hindu Religious and Charitable Endowments, Nungambakkam High Road, Chennai
3. The Joint Commissioner, Hindu Religious and Charitable Endowments, Administration Department, Madurai
4. The Joint Commissioner/executive Officer,, A/m.Dhandayuthapani Swamy Thirukovil, Palani, Dindigul Dist

... Respondents in WP(MD). 17249/ 2019

1. The Tamil Nadu Govt. Rep by the Addl Chief Secretary to Govt, Tourism, Culture and Religious Endowment Department, Fort St.George, Chennai-9
2. The Commissioner, Hindu Religious and Charitable

<https://hcservicesendowments.nu> Nungambakkam High Road, Chennai-34



3. The Joint Commissioner Hindu Religious and Charitable Endowments, Administration Department, Madurai.

4. The Joint Commissioner/executive Officer, A/m.Dhandayuthapani Swamy Thirukoil, Palani, Dindigul District

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... Respondents in WP(MD). 17250/ 2019

1. The Tamilnadu Government, Rep by the Additional Chief Secretary to Government, Tourism, Culture and Religious Endowment Department, Fort St.George, Chennai

2. The Commissioner, Hindu Religious and Charitable Endowments, Nungambakkam High Road, Chennai

3. The Joint Commissioner, Hindu Religious and Charitable Endowments, Administration Department, Madurai

4. The Joint Commissioner/executive Officer,, A/m.Dhandayuthapani Swamy Thirukovil, Palani, Dindigul Dist

... Respondents in WP(MD). 17251/ 2019

1. The Tamilnadu Government, Rep by the Additional Chief Secretary to Government, Tourism, Culture and Religious Endowment Department, Fort St.George, Chennai-9

2. The Commissioner, Hindu Religious and Charitable Endowments, Nungambakkam High Road, Chennai

3. The Joint Commissioner, Hindu Religious and Charitable Endowments, Administration Department, Madurai

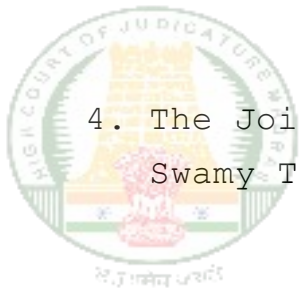
4. The Joint Commissioner/executive Officer,, A/m.Dhandayuthapani Swamy Thirukovil, Palani, Dindigul Dist

... Respondents in WP(MD). 17252/ 2019

1. The Tamilnadu Government, Rep by the Additional Chief Secretary to Government, Tourism, Culture and Religious Endowment Department, Fort St.George, Chennai

2. The Commissioner, Hindu Religious and Charitable Endowments, Nungambakkam High Road, Chennai

3. The Joint Commissioner, Hindu Religious and Charitable Endowments, Administration Department, Madurai



4. The Joint Commissioner/executive Officer,, A/m.Dhandayuthapani Swamy Thirukovil, Palani, Dindigul Dist
... Respondents in WP(MD). 17253/ 2019

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1. The Tamilnadu Government, Rep by the Additional Chief Secretary to Government, Tourism, Culture and Religious Endowment Department, Fort St.George, Chennai
2. The Commissioner, Hindu Religious and Charitable Endowments, Nungambakkam High Road, Chennai
3. The Joint Commissioner, Hindu Religious and Charitable Endowments, Administration Department, Madurai
4. The Joint Commissioner/executive Officer,, A/m.Dhandayuthapani Swamy Thirukovil, Palani, Dindigul Dist
... Respondent in WP(MD). 17254/ 2019

1. The Tamilnadu Government, Rep by the Secretary to Government, Tourism, Culture and Religious Endowment Department, Fort St.George, Chennai
2. The Commissioner, Hindu Religious and Charitable Endowments, Nungambakkam High Road, Chennai
3. The Joint Commissioner, Hindu Religious and Charitable Endowments, Administration Department, Madurai
4. The Joint Commissioner/executive Officer,, A/m.Dhandayuthapani Swamy Thirukovil, Palani, Dindigul Dist
... Respondent in WP(MD). 17255/ 2019

1. The Tamilnadu Government, Rep by the Additional Chief Secretary to Government, Tourism, Culture and Religious Endowment Department, Fort St.George, Chennai
2. The Commissioner, Hindu Religious and Charitable Endowments, Nungambakkam High Road, Chennai
3. The Joint Commissioner, Hindu Religious and Charitable Endowments, Administration Department, Madurai
4. The Joint Commissioner/executive Officer,, A/m.Dhandayuthapani Swamy Thirukovil, Palani, Dindigul Dist



1. The Tamilnadu Government, Rep by the Additional Chief Secretary to Government, Tourism, Culture and Religious Endowment Department, Fort St.George, Chennai

2. The Commissioner, Hindu Religious and Charitable Endowments, Nungambakkam High Road, Chennai

3. The Joint Commissioner, Hindu Religious and Charitable Endowments, Administration Department, Madurai

4. The Joint Commissioner/executive Officer,, A/m.Dhandayuthapani Swamy Thirukovil, Palani, Dindigul Dist

... Respondents in WP(MD). 17258/ 2019

1. The Tamilnadu Government, Rep by the Additional Chief Secretary to Government, Tourism, Culture and Religious Endowment Department, Fort St.George, Chennai-9

2. The Commissioner, Hindu Religious and Charitable Endowments, Nungambakkam High Road, Chennai

3. The Joint Commissioner, Hindu Religious and Charitable Endowments, Administration Department, Madurai

4. The Joint Commissioner/executive Officer,, A/m.Dhandayuthapani Swamy Thirukovil, Palani, Dindigul Dist

... Respondents in WP(MD). 17259/ 2019

1. The Tamilnadu Government, Rep by the Additional Chief Secretary to Government, Tourism, Culture and Religious Endowment Department, Fort St.George, Chennai-9

2. The Commissioner, Hindu Religious and Charitable Endowments, Nungambakkam High Road, Chennai

3. The Joint Commissioner, Hindu Religious and Charitable Endowments, Administration Department, Madurai

4. The Joint Commissioner/executive Officer,, A/m.Dhandayuthapani Swamy Thirukovil, Palani, Dindigul Dist

... Respondents in WP(MD). 17261/ 2019



1. The Tamilnadu Government, Rep by the Additional Chief Secretary to Government, Tourism, Culture and Religious Endowment Department, Fort St.George, Chennai-9

2. The Commissioner, Hindu Religious and Charitable Endowments, Nungambakkam High Road, Chennai

3. The Joint Commissioner, Hindu Religious and Charitable Endowments, Administration Department, Madurai

4. The Joint Commissioner/executive Officer,, A/m.Dhandayuthapani Swamy Thirukovil, Palani, Dindigul Dist

... Respondents in WP(MD). 17265/ 2019

1. The Tamilnadu Government, Rep by the Additional Chief Secretary to Government, Tourism, Culture and Religious Endowment Department, Fort St.George, Chennai-9

2. The Commissioner, Hindu Religious and Charitable Endowments, Nungambakkam High Road, Chennai

3. The Joint Commissioner, Hindu Religious and Charitable Endowments, Administration Department, Madurai

4. The Joint Commissioner/executive Officer,, A/m.Dhandayuthapani Swamy Thirukovil, Palani, Dindigul Dist

... Respondents in WP(MD). 17267/ 2019

1. The Tamilnadu Government, Rep by the Additional Chief Secretary to Government, Tourism, Culture and Religious Endowment Department, Fort St.George, Chennai-9

2. The Commissioner, Hindu Religious and Charitable Endowments, Nungambakkam High Road, Chennai

3. The Joint Commissioner, Hindu Religious and Charitable Endowments, Administration Department, Madurai

4. The Joint Commissioner/executive Officer,, A/m.Dhandayuthapani Swamy Thirukovil, Palani, Dindigul Dist

... Respondents in WP(MD). 17269/ 2019

1. The Tamilnadu Government, Rep by the Additional Chief Secretary to Government, Tourism, Culture and Religious Endowment

Department, Fort St.George, Chennai



2. The Commissioner, Hindu Religious and Charitable Endowments,
Nungambakkam High Road, Chennai

3. The Joint Commissioner, Hindu Religious and Charitable
Endowments, Administration Department, Madurai

4. The Joint Commissioner/executive Officer,, A/m.Dhandayuthapani
Swamy Thirukovil, Palani, Dindigul Dist

... Respondents in WP(MD). 17276/ 2019

1. The Tamilnadu Government, Rep by the Additional Chief Secretary
to Government, Tourism, Culture and Religious Endowment
Department, Fort St.George, Chennai-9

2. The Commissioner, Hindu Religious and Charitable Endowments,
Nungambakkam High Road, Chennai

3. The Joint Commissioner, Hindu Religious and Charitable
Endowments, Administration Department, Madurai

4. The Joint Commissioner/executive Officer,, A/m.Dhandayuthapani
Swamy Thirukovil, Palani, Dindigul Dist

... Respondents in WP(MD). 17278/ 2019

1. The Tamilnadu Government, Rep by the Additional Chief Secretary
to Government, Tourism, Culture and Religious Endowment
Department, Fort St.George, Chennai

2. The Commissioner, Hindu Religious and Charitable Endowments,
Nungambakkam High Road, Chennai

3. The Joint Commissioner, Hindu Religious and Charitable
Endowments, Administration Department, Madurai

4. The Joint Commissioner/executive Officer,, A/m.Dhandayuthapani
Swamy Thirukovil, Palani, Dindigul Dist

... Respondents in WP(MD). 17279/ 2019

1. The Tamilnadu Government, Rep by the Additional Chief Secretary
to Government, Tourism, Culture and Religious Endowment
Department, Fort St.George, Chennai-9

2. The Commissioner, Hindu Religious and Charitable Endowments,
Nungambakkam High Road, Chennai



3. The Joint Commissioner, Hindu Religious and Charitable Endowments, Administration Department, Madurai

4. The Joint Commissioner/executive Officer,, A/m.Dhandayuthapani Swamy Thirukovil, Palani, Dindigul Dist

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... Respondents in WP(MD). 17280/ 2019

1. The Tamilnadu Government, Rep by the Additional Chief Secretary to Government, Tourism, Culture and Religious Endowment Department, Fort St.George, Chennai

2. The Commissioner, Hindu Religious and Charitable Endowments, Nungambakkam High Road, Chennai

3. The Joint Commissioner, Hindu Religious and Charitable Endowments, Administration Department, Madurai

4. The Joint Commissioner/executive Officer,, A/m.Dhandayuthapani Swamy Thirukovil, Palani, Dindigul Dist

... Respondents in WP(MD). 17281/ 2019

1. The Tamilnadu Government, Rep by the Additional Chief Secretary to Government, Tourism, Culture and Religious Endowment Department, Fort St.George, Chennai-9

2. The Commissioner, Hindu Religious and Charitable Endowments, Nungambakkam High Road, Chennai

3. The Joint Commissioner, Hindu Religious and Charitable Endowments, Administration Department, Madurai

4. The Joint Commissioner/executive Officer,, A/m.Dhandayuthapani Swamy Thirukovil, Palani, Dindigul Dist

... Respondents in WP(MD). 17282/ 2019

1. The Tamilnadu Government, Rep by the Addl Chief Secretary to Govt, Tourism, Culture and Religious Endowment Department, Fort St.George, Chennai-9

2. The Commissioner Hindu Religious and Charitable Endowments, Nungambakkam High Road, Chennai-34

3. The Joint Commissioner Hindu Religious and Charitable Endowments, Administration Department, Madurai.



4. The Joint Commissioner/executive Officer, A/m.Dhandayuthapani Swamy Thirukoil, Palani, Dindigul District

... Respondents in WP(MD). 17284/ 2019

1. The Tamilnadu Government, Rep by the Addl Chief Secretary to Govt, Tourism, Culture and Religious Endowment Department, Fort St. George, Chennai-9

2. The Commissioner Hindu Religious and Charitable Endowments, Nungambakkam High Road, Chennai-34

3. The Joint Commissioner Hindu Religious and Charitable Endowments, Administration Department, Madurai.

4. The Joint Commissioner/executive Officer, A/m.Dhandayuthapani Swamy Thirukoil, Palani, Dindigul District

... Respondents in WP(MD). 17285/ 2019

1. The Tamilnadu Government, Rep by the Additional Chief Secretary to Government, Tourism, Culture and Religious Endowment Department, Fort St. George, Chennai-9

2. The Commissioner Hindu Religious and Charitable Endowments, Nungambakkam High Road, Chennai

3. The Joint Commissioner Hindu Religious and Charitable Endowments, Administration Department, Madurai

4. The Joint Commissioner/executive Officer,, A/m.Dhandayuthapani Swamy Thirukovil, Palani, Dindigul Dist

... Respondents in WP(MD). 17299/ 2019

1. The Tamilnadu Government, Rep by the Additional Chief Secretary to Government, Tourism, Culture and Religious Endowment Department, Fort St. George, Chennai-9

2. The Commissioner Hindu Religious and Charitable Endowments, Nungambakkam High Road, Chennai

3. The Joint Commissioner Hindu Religious and Charitable Endowments, Administration Department, Madurai

4. The Joint Commissioner/executive Officer,, A/m.Dhandayuthapani Swamy Thirukovil, Palani, Dindigul Dist

... Respondents in WP(MD). 17303/ 2019



1. The Tamil Nadu Government Rep., by the Secretary to Govt.,
Tourism, Culture and Religious Endowment Dept.,
Fort St. George, Chennai-9
2. The Commissioner, Hindu Religious and Charitable Endowments,
Nungambakkam High Road, Chennai 34
3. The Joint Commissioner/Executive Officer,
A/m. Dhandayuthapani Swamy Thirukovil,
Palani, Dindigul District

... Respondents in WP(MD). 13533/ 2019

1. The Joint Commissioner/the Executive Officer, Arulmigu
Dhandayuthapani Swamy Thirukovil, Palani, Dindigul Dist
... Respondent(s) in WP(MD). 15073/ 2019

Prayer in WP(MD). 17241/ 2019 :

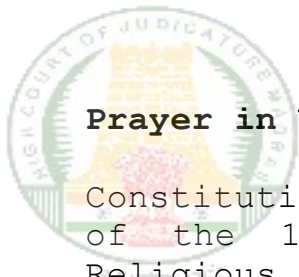
Writ Petition is filed under Article 226 of the Constitution of India, praying this Court Calling for the records of the 1st respondent in G.O.Ms.No.58 (Tourism Culture and Religious Endowments (RE 5-1) (Department) dt.28.5.2019 confirming the common order passed by the 2nd respondent in R.P.Nos.143 to 174/2016 D2 dt.26.8.2016 thereby confirming the order passed by the 3rd respondent in Palavagai Manu Na.Ka.No.8837/2013/E-1 dt.22.3.2016 quash the same.

Prayer in WP(MD). 17242/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court Calling for the records of the 1st respondent in G.O.Ms.No.58 (Tourism Culture and Religious Endowments (RE 5-1) (Department) dt.28.5.2019 confirming the common order passed by the 2nd respondent in R.P.Nos.143 to 174/2016 D2 dt.26.8.2016 thereby confirming the order passed by the 3rd respondent in Palavagai Manu Na.Ka.No.8833/2013/E-1 dt.22.3.2016 quash the same.

Prayer in WP(MD). 17243/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court Calling for the records of the 1st respondent in G.O.Ms.No.58 (Tourism Culture and Religious Endowments (RE 5-1) (Department) dt.28.5.2019 confirming the common order passed by the 2nd respondent in R.P.Nos.143 to 174/2016 D2 dt.26.8.2016 thereby confirming the order passed by the 3rd respondent in Palavagai Manu Na.Ka.No.8836/2013/E-1 dt.22.3.2016 quash the same.



Prayer in WP(MD). 17245/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court Calling for the records of the 1st respondent in G.O.Ms.No.58 (Tourism Culture and Religious Endowments (RE 5-1) (Department) dt.28.5.2019 confirming the common order passed by the 2nd respondent in R.P.Nos.143 to 174/2016 D2 dt.26.8.2016 thereby confirming the order passed by the 3rd respondent in Palavagai Manu Na.Ka.No.8809/2013/E-1 dt.22.3.2016 quash the same.

Prayer in WP(MD). 17246/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To Calling for the records of the 1st respondent in G.O.Ms.No.58 (Tourism Culture and Religious Endowments (RE 5-1) (Department) dt.28.5.2019 confirming the common order passed by the 2nd respondent in R.P.Nos.143 to 174/2016 D2 dt.26.8.2016 thereby confirming the order passed by the 3rd respondent in Palavagai Manu Na.Ka.No.8808/2013/E-1 dt.22.3.2016 quash the same.

Prayer in WP(MD). 17247/ 2019 :

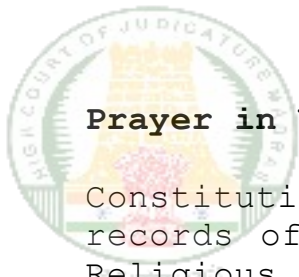
Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To calling for the records of the 1st respondent in G.O.Ms.No.58(Tourism Culture and Religious Endowments (RE 5-1) Department) dated 28.05.2019 confirming the common order passed by the 2nd respondent in R.P.Nos.143 to 174/2016 D2 dated 26.08.2016 thereby confirming the order passed by the 3rd respondent in Palavagai Manu Na.Ka.No.8830/2013/E-1 dated 18.3.2016 quash the same as illegal.

Prayer in WP(MD). 17248/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court Calling for the records of the 1st respondent in G.O.Ms.No.58 (Tourism Culture and Religious Endowments (RE 5-1) (Department) dt.28.5.2019 confirming the common order passed by the 2nd respondent in R.P.Nos.143 to 174/2016 D2 dt.26.8.2016 thereby confirming the order passed by the 3rd respondent in Palavagai Manu Na.Ka.No.8821/2013/E-1 dt.18.3.2016 quash the same.

Prayer in WP(MD). 17249/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court Calling for the records of the 1st respondent in G.O.Ms.No.58 (Tourism Culture and Religious Endowments (RE 5-1) (Department) dt.28.5.2019 confirming the common order passed by the 2nd respondent in R.P.Nos.143 to 174/2016 D2 dt.26.8.2016 thereby confirming the order passed by the 3rd respondent in Palavagai Manu Na.Ka.No.8805/2013/E-1 dt.22.3.2016 quash the same.



Prayer in WP(MD). 17250/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To calling for the records of the 1st respondent in G.O.Ms.No.58(Tourism Culture and Religious Endowments (RE 5-1) Department) dated 28.05.2019 confirming the common order passed by the 2nd respondent in R.P.Nos.143 to 174/2016 D2 dated 26.08.2016 thereby confirming the order passed by the 3rd respondent in Palavagai Manu Na.Ka.No.8832/2013/E-1 dated 22.3.2016 quash the same as illegal.

Prayer in WP(MD). 17251/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court Calling for the records of the 1st respondent in G.O.Ms.No.58 (Tourism Culture and Religious Endowments (RE 5-1) (Department) dt.28.5.2019 confirming the common order passed by the 2nd respondent in R.P.Nos.143 to 174/2016 D2 dt.26.8.2016 thereby confirming the order passed by the 3rd respondent in Palavagai Manu Na.Ka.No.8812/2013/E-1 dt.22.3.2016 quash the same.

Prayer in WP(MD). 17252/ 2019 :

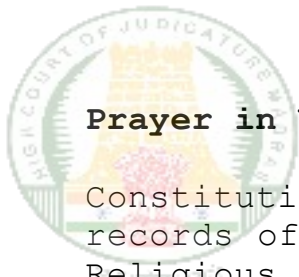
Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To Calling for the records of the 1st respondent in G.O.Ms.No.58 (Tourism Culture and Religious Endowments (RE 5-1) (Department) dt.28.5.2019 confirming the common order passed by the 2nd respondent in R.P.Nos.143 to 174/2016 D2 dt.26.8.2016 thereby confirming the order passed by the 3rd respondent in Palavagai Manu Na.Ka.No.8815/2013/E-1 dt.22.3.2016 quash the same.

Prayer in WP(MD). 17253/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court Calling for the records of the 1st respondent in G.O.Ms.No.58 (Tourism Culture and Religious Endowments (RE 5-1) (Department) dt.28.5.2019 confirming the common order passed by the 2nd respondent in R.P.Nos.143 to 174/2016 D2 dt.26.8.2016 thereby confirming the order passed by the 3rd respondent in Palavagai Manu Na.Ka.No.8818/2013/E-1 dt.22.3.2016 quash the same.

Prayer in WP(MD). 17254/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court Calling for the records of the 1st respondent in G.O.Ms.No.58 (Tourism Culture and Religious Endowments (RE 5-1) (Department) dt.28.5.2019 confirming the common order passed by the 2nd respondent in R.P.Nos.143 to 174/2016 D2 dt.26.8.2016 thereby confirming the order passed by the 3rd respondent in Palavagai Manu Na.Ka.No.8803/2013/E-1 dt.22.3.2016 quash the same.



Prayer in WP(MD) . 17255/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To Calling for the records of the 1st respondent in G.O.Ms.No.58 (Tourism Culture and Religious Endowments (RE 5-1) (Department) dt.28.5.2019 confirming the common order passed by the 2nd respondent in R.P.Nos.143 to 174/2016 D2 dt.26.8.2016 thereby confirming the order passed by the 3rd respondent in Palavagai Manu Na.Ka.No.8834/2013/E-1 dt.22.3.2016 quash the same.

Prayer in WP(MD) . 17256/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court Calling for the records of the 1st respondent in G.O.Ms.No.58 (Tourism Culture and Religious Endowments (RE 5-1) (Department) dt.28.5.2019 confirming the common order passed by the 2nd respondent in R.P.Nos.143 to 174/2016 D2 dt.26.8.2016 thereby confirming the order passed by the 3rd respondent in Palavagai Manu Na.Ka.No.8828/2013/E-1 dt.18.3.2016 quash the same.

Prayer in WP(MD) . 17258/ 2019 :

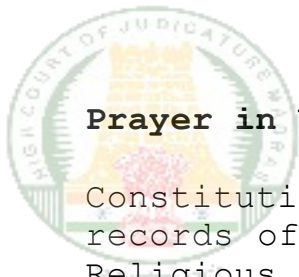
Writ Petition is filed under Article 226 of the Constitution of India, praying this Court Calling for the records of the 1st respondent in G.O.Ms.No.58 (Tourism Culture and Religious Endowments (RE 5-1) (Department) dt.28.5.2019 confirming the common order passed by the 2nd respondent in R.P.Nos.143 to 174/2016 D2 dt.26.8.2016 thereby confirming the order passed by the 3rd respondent in Palavagai Manu Na.Ka.No.8822/2013/E-1 dt.22.3.2016 quash the same.

Prayer in WP(MD) . 17259/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To Calling for the records of the 1st respondent in G.O.Ms.No.58 (Tourism Culture and Religious Endowments (RE 5-1) (Department) dt.28.5.2019 confirming the common order passed by the 2nd respondent in R.P.Nos.143 to 174/2016 D2 dt.26.8.2016 thereby confirming the order passed by the 3rd respondent in Palavagai Manu Na.Ka.No.8813/2013/E-1 dt.22.3.2016 quash the same.

Prayer in WP(MD) . 17261/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To Calling for the records of the 1st respondent in G.O.Ms.No.58 (Tourism Culture and Religious Endowments (RE 5-1) (Department) dt.28.5.2019 confirming the common order passed by the 2nd respondent in R.P.Nos.143 to 174/2016 D2 dt.26.8.2016 thereby confirming the order passed by the 3rd respondent in Palavagai Manu Na.Ka.No.8814/2013/E-1 dt.22.3.2016 quash the same.



Prayer in WP(MD) . 17265/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To Calling for the records of the 1st respondent in G.O.Ms.No.58 (Tourism Culture and Religious Endowments (RE 5-1) (Department) dt.28.5.2019 confirming the common order passed by the 2nd respondent in R.P.Nos.143 to 174/2016 D2 dt.26.8.2016 thereby confirming the order passed by the 3rd respondent in Palavagai Manu Na.Ka.No.8835/2013/E-1 dt.18.3.2016 quash the same.

Prayer in WP(MD) . 17267/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To Calling for the records of the 1st respondent in G.O.Ms.No.58 (Tourism Culture and Religious Endowments (RE 5-1) (Department) dt.28.5.2019 confirming the common order passed by the 2nd respondent in R.P.Nos.143 to 174/2016 D2 dt.26.8.2016 thereby confirming the order passed by the 3rd respondent in Palavagai Manu Na.Ka.No.8811/2013/E-1 dt.22.3.2016 quash the same.

Prayer in WP(MD) . 17269/ 2019 :

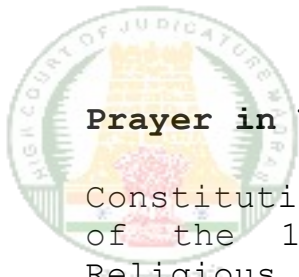
Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To Calling for the records of the 1st respondent in G.O.Ms.No.58 (Tourism Culture and Religious Endowments (RE 5-1) (Department) dt.28.5.2019 confirming the common order passed by the 2nd respondent in R.P.Nos.143 to 174/2016 D2 dt.26.8.2016 thereby confirming the order passed by the 3rd respondent in Palavagai Manu Na.Ka.No.8810/2013/E-1 dt.22.3.2016 quash the same.

Prayer in WP(MD) . 17276/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court Calling for the records of the 1st respondent in G.O.Ms.No.58 (Tourism Culture and Religious Endowments (RE 5-1) (Department) dt.28.5.2019 confirming the common order passed by the 2nd respondent in R.P.Nos.143 to 174/2016 D2 dt.26.8.2016 thereby confirming the order passed by the 3rd respondent in Palavagai Manu Na.Ka.No.8806/2013/E-1 dt.22.3.2016 quash the same.

Prayer in WP(MD) . 17278/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court Calling for the records of the 1st respondent in G.O.Ms.No.58 (Tourism Culture and Religious Endowments (RE 5-1) (Department) dt.28.5.2019 confirming the common order passed by the 2nd respondent in R.P.Nos.143 to 174/2016 D2 dt.26.8.2016 thereby confirming the order passed by the 3rd respondent in Palavagai Manu Na.Ka.No.8824/2013/E-1 dt.18.3.2016 quash the same.



Prayer in WP(MD). 17279/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court Calling for the records of the 1st respondent in G.O.Ms.No.58 (Tourism Culture and Religious Endowments (RE 5-1) (Department) dt.28.5.2019 confirming the common order passed by the 2nd respondent in R.P.Nos.143 to 174/2016 D2 dt.26.8.2016 thereby confirming the order passed by the 3rd respondent in Palavagai Manu Na.Ka.No.8826/2013/E-1 dt.22.3.2016 quash the same.

Prayer in WP(MD). 17280/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To Calling for the records of the 1st respondent in G.O.Ms.No.58 (Tourism Culture and Religious Endowments (RE 5-1) (Department) dt.28.5.2019 confirming the common order passed by the 2nd respondent in R.P.Nos.143 to 174/2016 D2 dt.26.8.2016 thereby confirming the order passed by the 3rd respondent in Palavagai Manu Na.Ka.No.8807/2013/E-1 dt.22.3.2016 quash the same.

Prayer in WP(MD). 17281/ 2019 :

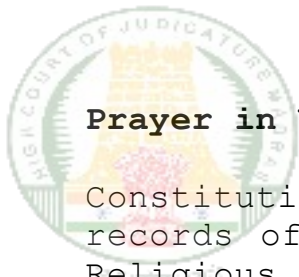
Writ Petition is filed under Article 226 of the Constitution of India, praying this Court Calling for the records of the 1st respondent in G.O.Ms.No.58 (Tourism Culture and Religious Endowments (RE 5-1) (Department) dt.28.5.2019 confirming the common order passed by the 2nd respondent in R.P.Nos.143 to 174/2016 D2 dt.26.8.2016 thereby confirming the order passed by the 3rd respondent in Palavagai Manu Na.Ka.No.8823/2013/E-1 dt.22.3.2016 quash the same.

Prayer in WP(MD). 17282/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court Calling for the records of the 1st respondent in G.O.Ms.No.58 (Tourism Culture and Religious Endowments (RE 5-1) (Department) dt.28.5.2019 confirming the common order passed by the 2nd respondent in R.P.Nos.143 to 174/2016 D2 dt.26.8.2016 thereby confirming the order passed by the 3rd respondent in Palavagai Manu Na.Ka.No.8856/2013/E-1 dt.22.3.2016 quash the same.

Prayer in WP(MD). 17284/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To calling for the records of the 1st respondent in G.O.Ms.No.58 (Tourism Culture and Religious Endowments (RE 5-1) Department) dated 28.05.2019 confirming the common order passed by the 2nd respondent in R.P.Nos.143 to 174/2016 D2 dated 26.08.2016 thereby confirming the order passed by the 3rd respondent in Palavagai Manu Na.Ka.No.8804/2013/E-1 dated 22.3.2016 quash the same as illegal.



Prayer in WP(MD). 17285/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To calling for the records of the 1st respondent in G.O.Ms.No.58(Tourism Culture and Religious Endowments (RE 5-1) Department) dated 28.05.2019 confirming the common order passed by the 2nd respondent in R.P.Nos.143 to 174/2016 D2 dated 26.08.2016 thereby confirming the order passed by the 3rd respondent in Palavagai Manu Na.Ka.No.8831/2013/E-1 dated 18.3.2016 quash the same as illegal.

Prayer in WP(MD). 17299/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court Calling for the records of the 1st respondent in G.O.Ms.No.57 (Tourism Culture and Religious Endowments (RE 5-1) (Department) dt.28.5.2019 confirming the common order passed by the 2nd respondent in R.P.Nos.86 , 90, 91,99 and 170 to 177 of 2016 /D2 dt.30.3.2016 thereby confirming the order passed by the 3rd respondent in Palavagai Manu Na.Ka.No.8796/2013/E-1 dt.4.9.2015 quash the same as illegal, arbitraray and unenforceable

Prayer in WP(MD). 17303/ 2019 :

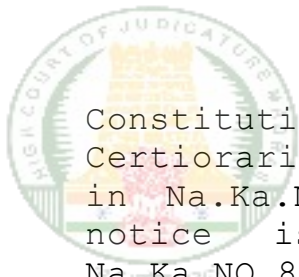
Writ Petition is filed under Article 226 of the Constitution of India, praying this Court Calling for the records of the 1st respondent in G.O.Ms.No.57 (Tourism Culture and Religious Endowments (RE 5-1) (Department) dt.28.5.2019 confirming the common order passed by the 2nd respondent in R.P.Nos.86 , 90, 91,99 and 170 to 177 of 2016 /D2 dt.30.3.2016 thereby confirming the order passed by the 3rd respondent in Palavagai Manu Na.Ka.No.8795/2013/E-1 dt.4.9.2015 quash the same as illegal, arbitraray and unenforceable

Prayer in WP(MD). 13533/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorari calling for the records of the 1st respondent in G.O.Ms.No.56 (Tourism , Culture and Religious Endowments (RE5-1) Dept.,) dated 28/05/2019 confirming the order passed by the 2nd respondent in R.P.Nos. 158 to 169/2015, R.P.Nos.10 to 78/2016 and R.P.No.92/2016 D2 dated 28/03/2016 confirming the order passed by the 3rd respondent in Na.Ka.No.1060/15/C3 dated 09/07/2015 and the consequential auction notices issued by the 3rd respondent in Tamil Dailies "Dinamani" and "Dhina Malar" on 07.06.2019 in Na.Ka.No.684/2019/C3 dated:29.05.2019 and Na.Ka.No.635/2019/C3 dated 29.05.2019 fixing the auction dates as 20.06.2019 and 27.06.2019 at 11.30 a.m. respectively, quash the same as illegal.

Prayer in WP(MD). 15073/ 2019 :

<https://hcservices.ecourts.gov.in/HCServices/> Writ Petition is 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 respondent in Na.Ka.No.635/2019/C3 dated 29.05.2019 and the consequential notice issued by the respondent to the petitioner in Na.Ka.NO.888/2015/C3 dated 03.06.2019 quash the same as illegal arbitrary and unenforceable consequently direct the respondent to extend the lease period by 3 years by considering his representation dated 10.06.2019.

IN ALL WP's

For Petitioner : Mr.V.K.Vijaya Raghavan

For Respondents : Mr.K.P.Narayanakumar
Special Government Pleader
for R.1 to R.3
Mr.V.R.Shanmuganathan for R.4

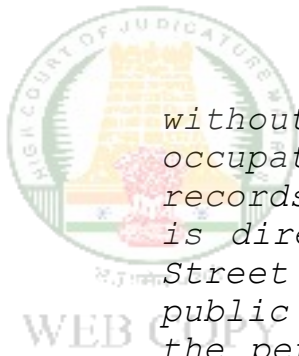
C O M M O N O R D E R

B. PUGALENDHI, J.,

These batch of writ petitions are filed by the respective petitioners as against the orders passed by the Government / first respondent in G.O.Ms.Nos.58, 57 & 56, Tourism, Culture and Religious Endowments (RE 5-1) Department, dated 28.05.2019, respectively, in and by which, the revision petitions filed by the respective petitioners under Section 114 of the Hindu Religious and Charitable Endowments Act were dismissed.

2. Vide the impugned orders, the Government, being the revisional authority under the Act, confirmed the orders passed by the Commissioner, Hindu Religious and Charitable Endowments Department, Chennai / second respondent in R.P.143-174/2016/D2, dated 26.08.2016; R.P.170-177, R.P.86, 90, 91 & 99/2016/D2, dated 30.03.2016; and R.P.158 - 169/2015, R.P.10 - 78 & 92/2016/D2, dated 28.03.2016, respectively, whereby and whereunder, the second respondent, while confirming the orders passed by the Joint Commissioner, Hindu Religious & Charitable Endowments Department, Administration Department, Madurai as well as the Joint Commissioner cum Executive Officer of Arulmighu Dhandayuthapani Swamy Temple, Palani, partly modified the notices by allowing the petitioners to occupy the respective shops till 30.06.2017, subject to payment of damages as fixed by the Joint Commissioner cum Executive Officer and certain other conditions as follows:

" ... However as we are getting closer to the end of the Fasli year, the Revision Petitioners are allowed to occupy the shops till 30-06-2017 subject to payment of damages as fixed by the respondent in the above notice



without default before 30-04-2016. Limiting their area of occupation to its original extent, as per the temple records. Further the Joint Commissioner / Executive Officer is directed to revise the rent of two shops in Big Bazaar Street and also take action to lease out all the shops in public auction with effect from 01-07-2017. It is open to the petitioners to participate in the public auction after paying the damages without default. ..."

3. Aggrieved over the dismissal order passed by the Government, the respective petitioners have filed the instant writ petitions. Of these batch of writ petitions, W.P.(MD)No.15073 of 2019, is filed by the petitioner challenging the tender notice dated 29.05.2019, as well as eviction notice dated 03.06.2019, issued by the Joint Commissioner cum Executive Officer of the Temple.

4. As per the order of the Hon'ble Administrative Judge dated 15.10.2020, these batch of writ petitions are listed before this Bench. Since a common issue has been raised in all these writ petitions, all of them are heard together and are disposed of by way of this common order.

5. Heard Mr.V.K.Vijayaragavan, learned Counsel appearing for the petitioners, Mr.K.P.Narayana Kumar, learned Special Government Pleader appearing for the official respondents and Mr.V.R.Shanmuganathan, learned Standing Counsel appearing for Arulmighu Dhandayuthapani Swamy Thirukoil, Palani, Dindigul District (hereinafter referred to as 'Palani Temple').

6. Mr.V.K.Vijayaragavan, learned Counsel appearing for the petitioners has raised the following points for the consideration of this Court:

6.1. The petitioners are tenants under the Palani Temple and the area allotted to them are very minimal, ranging between 100 and 150 Sq.ft. In fact, they are aggrieved by the 15% hike of the lease amount, however, without considering their request, the Government has fixed exorbitant amount as fair rent, that too, without affording them an opportunity to putforth their case.

6.2. According to the Hindu Religious and Charitable Endowments Act (hereinafter referred to as 'the Act'), the fair rent has to be fixed after putting the tenants on notice and steps have to be taken against the defaulters, individually. However, the fair rent has been fixed by the Government, without following any norms and not in accordance with law. Suffice to say that the rent determined and demanded by the Temple Administration, from the petitioners is contrary to Tamil Nadu Act 25/2003.



6.3. Even assuming without admitting that fair rent has been fixed as per Section 34-A of the Act, it has to be intimated to the lessees and the lessees have to be given sufficient time to pay the rent. The lessees are also having a right to challenge the fair rent before the competent authority, namely, the Commissioner, within a period of 30 days.

6.4. Without complying the prescribed mandatory procedures as contemplated under Section 34-A of the Act, the Joint Commissioner cum Executive Officer of the Palani Temple unilaterally went for a public auction, that too, when the petitioners are in occupation of the buildings.

6.5. Though the petitioners are ready and willing to pay the existing rent, the Joint Commissioner cum Executive Officer, without resorting to Section 34-A of the Act, arbitrarily fixed the damages, without any notice to the petitioners. In fact, as per the statutory provisions in the Act, there is no scope for any demand of damages, however, the Joint Commissioner cum Executive Officer has claimed the same.

Therefore, the learned Counsel for the petitioners prayed for allowing the present writ petitions.

7. Mr.K.P.Narayana Kumar, learned Special Government Pleader appearing for the official respondents would submit that the grounds raised by the petitioners have already been addressed in the orders impugned in the writ petitions. According to him, the petitioners have unauthorizedly occupied the temple shops. The Joint Commissioner cum Executive Officer of the Temple has acted in accordance with law, as per Section 34-A of the Act and following the Government Orders and Circulars regarding fixation of fair rent to the Government shops leased out by the religious institutions for commercial purpose. There is no error in the orders passed by the Joint Commissioner cum Executive Officer of the Temple claiming damages; and the eviction order passed by the Joint Commissioner, Hindu Religious and Charitable Endowments Department, Administration, Madurai, observing the petitioners as encroachers; and the dismissal order passed by the Commissioner, Hindu Religious and Charitable Endowments Department; and therefore, the revision petitions filed by the petitioners were dismissed. Hence, he prays for dismissal.

8. Mr.V.R.Shanmuganathan, learned Standing Counsel appearing for the Temple made his submissions as follows:

8.1. The Arulmigu Dhandayuthapani Swamy Temple, Palani, is a public religious institution and is under the direct control of the Hindu Religious and Charitable Endowments Department. It is a

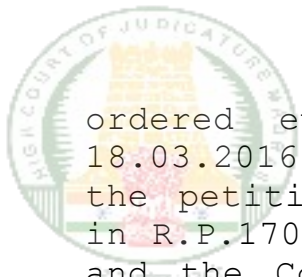


listed temple under Section 46(iii) of the Hindu Religious and Charitable Endowments Act. The Temple owns about 91 shops in and around the hill temple at Palani and had leased them out for rent. Out of 91 shops, which were leased out for commercial purposes, 63 persons have filed the present writ petitions in respect of 84 shops. All these shops were leased out during various period between 1999 and 2007, by public auction for a period of three years. The lease periods have come to an end, after the expiry of three years and there is no lease agreement subsisting, as on date.

8.2. The Temple Administration brought all the 91 shops for public auction in the year 2015 and the auction notices were challenged in a batch of writ petitions in W.P.(MD)No.7926 of 2015, etc., batch, which were allowed by order dated 14.05.2015, that without vacating the tenants, the Temple Administration is not supposed to proceed with the auction. As against the same, the Temple Administration preferred appeal in W.A.(MD)No.511 of 2015, etc., batch and the same were allowed by a Division Bench of this Court on 06.01.2016, that the subsequent steps taken by the Department for fixation of fair rent cannot nullify the auction notice and the right of the landlord to have fair rent fixed for the duration of time when the tenant continues in occupation is not taken away.

8.3. In the meantime, the Joint Commissioner cum Executive Officer of the Temple has taken steps for fixation of fair rent, as per Section 34-A of the Act, by constituting a Committee. This Committee, in accordance with the rules and regulations, has fixed the fair rent and the fair rent fixed by the Committee is also served upon the shopkeepers, individually, based on which, the shopkeepers have also made a request for reduction of rent. The request made by the shopkeepers for reduction of rent was negatived by proceedings dated 14.09.2015. Challenging the rejection order dated 14.09.2015 and the proceedings dated 09.07.2015 claiming damages on the new fair rent fixed, some of the shopkeepers filed revision petitions in RP.158-169/2015, 10-78, 92/2015 D2, under Section 21 of the Act, before the Commissioner, Hindu Religious and Charitable Endowments Department and the same was dismissed on 28.03.2016, however, the shopkeepers were permitted to occupy the shops till 30.06.2017, subject to payment of damages as claimed. But, the shopkeepers neither paid the rent and the damages nor agreed for the fair rent.

8.4. In the interregnum, the Joint Commissioner, Hindu Religious and Charitable Endowments Department, Administration, Madurai, since the petitioners neither paid the fair rent nor having any valid lease, proceeded further under Section 78 of the Act and after providing due opportunity of personal hearing,



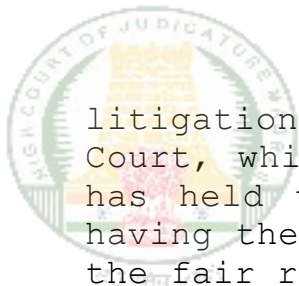
ordered eviction as against the petitioners, on 04.09.2015, 18.03.2016 and 22.03.2016, respectively. As against these notices, the petitioners filed revision petitions before the Commissioner in R.P.170-177, 86, 90, 91, 99/2016 D2 and in R.P.143-174/2016 D2 and the Commissioner, by order dated 30.03.2016 and 26.08.2016, respectively, dismissed the revision petitions, however, permitted the shopkeepers to occupy the shops till 30.06.2017, subject to payment of damages as claimed.

8.5. The learned Standing Counsel has also brought to the notice of this Court about the fire accident, which had broken out in Arulmighu Meenakshi Amman Temple, Madurai, in the month of February, 2018 and thereafter, the Department has taken a decision not to permit any shopkeepers, in and around the temple premises, in all temples throughout the State of Tamil Nadu. The eviction notices issued in this regard were challenged in a batch of writ petitions in W.P.(MD)No.4428 of 2018, etc., and the said writ petitions were dismissed on 14.03.2018. As against the same, writ appeals in W.A.(MD)No.686 of 2018, etc., batch, were filed and the same were dismissed by order dated 01.11.2018. As against the same, some of the shopkeepers preferred special leave petition before the Hon'ble Supreme Court in Civil Appeal Nos.3461-3505 of 2019 and the same was allowed by order dated 08.04.2019, holding that the shopkeepers can be evicted only by following due process of law, as envisaged in the Hindu Religious and Charitable Endowments Act.

8.6. As per Section 78 of the Act, certain powers are provided to the Assistant Commissioner, having jurisdiction over the area, in which the religious institution is situated and the Assistant Commissioner has power to remove the encroachment by any person or land or building belonging to the religious institution. For the purpose of this Section, the encroacher is explained as any person unauthorizedly occupied. Accordingly, action has been taken as against the writ petitioners under Section 78 of the Act and the Joint Commissioner has passed a detailed order, which has been confirmed by the Commissioner and the Government / Secretary vide the orders impugned in the writ petitions. Therefore, the learned Standing Counsel prays for dismissal.

9. This Court paid it's anxious consideration to the rival submissions and also to the materials placed on record.

10. All the writ petitioners are erstwhile lessees of Arulmigu Dhandayuthapani Swamy Temple, Palani, who acquired possession in between 1999 and 2007. The Temple Administration by appointing a fair rent committee fixed the fair rent and also proceeded for a public auction. As against the fixation of fair rent and public auction, litigations were filed by the petitioners and those



litigations also attained finality. The Division Bench of this Court, while hearing the issue in W.A.(MD)Nos.511 to 594 of 2015, has held that the Temple Administration, being the Landlord, is having the power to proceed with the auction as well as for fixing the fair rent.

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11. Even after the fixation of fair rent, the petitioners have not paid the rent and therefore, by treating them as encroachers, as per the provision under Section 78 of the Act, the Joint Commissioner, Hindu Religious and Charitable Endowments Department, Administration, Madurai, has taken further action and after providing opportunity, has ordered for eviction as against the petitioners, on 04.09.2015, 18.03.2016 and 22.03.2016, respectively. The orders of eviction were challenged before the Commissioner in R.P.Nos.170 - 177/2015, 86, 90, 91, 99/2016 and in R.P.Nos.143-174/2016 and by orders dated 30.03.2016 and 26.08.2016, respectively, the Commissioner has dismissed the same.

12. The proceedings of the Joint Commissioner cum Executive Officer of the Temple dated 09.07.2015 communicating the decision of the fair rent committee and the claim of damages; and the proceedings dated 14.09.2015 negating the request of the shopkeepers for reduction of rent was challenged before the Commissioner by filing R.P.Nos.158 - 169/2015, 10 to 78 & 92/2016 and the same was also dismissed vide order dated 28.03.2016.

13. The orders of the Commissioner dated 28.03.2016, 30.03.2016 and 26.08.2016, were challenged before the Government under Section 114 of the Act and the same were dismissed vide G.O.Ms.Nos.56, 57 & 58, respectively, dated 28.05.2019. Aggrieved, the present writ petitions have been filed.

14. The sum and substance of the case of the petitioners is as follows:

- (i) The fair rent was not fixed in accordance with law;
- (ii) The lessees / shopkeepers were not put on notice before fixing the fair rent;
- (iii) As long as the fair rent is fixed as per law, the petitioners cannot be treated as encroachers and cannot be evicted, on the ground that they have not paid the fair rent;
- (iv) Without terminating the lease and taking over the possession, auction cannot be conducted; and
- (v) Demand of damages at the rate of fair rent, from lessees, is illegal, more particularly when the fair rent was not fixed as per law and when lease was not terminated and when possession was not taken.

15. Admittedly, all these writ petitioners have taken up the shops on lease for a period of three years in between 1999 and



2007 and that period of lease has already been over. The petitioners have not taken any steps to renew the license. The fair rent was fixed by constituting a committee comprising of the Joint Commissioner cum Executive Officer of the Palani Temple; the Joint Commissioner, Hindu Religious and Charitable Endowments Department, Madurai; the Joint Sub Registrar, Registration Department, Palani; and the Executive Engineer, Public Works Department, Palani. This Committee, after analyzing the existing market value and the annual rental value, has fixed appropriate fair rent for each and every shop based on their size and location.

16. As per Section 34-A of the Act, the Temple Administration is entitled to fix the rent and for better appreciation, the same is extracted as under:

"34-A. Fixation of lease rent. - The lease rent payable for the lease of immovable property belonging to, or given or endowed for the purpose of, any religious institution, shall be fixed by a Committee consisting of the Joint Commissioner, the Executive Officer or the Trustee or the Chairman of the Board of Trustees, as the case may be, of the religious institution and the District Registrar of the Registration Department in the district concerned taking into account the prevailing market rental value and the guidelines, as may be prescribed and such lease rent shall be refixed in the like manner once in three years by the said Committee.

Explanation. - For the purpose of this sub-section, "prevailing market rental value" means the amount of rent paid for similar types of properties situated in the locality where the immovable property of the religious institution is situated.

(2) The Executive Officer or the Trustee or the Chairman of the Board of Trustees, as the case may be, of the religious institution concerned, shall pass an order fixing the lease rent and intimate the same to the lessee specifying a time within which such lease rent shall be paid.

(3) Any person aggrieved by an order passed under sub-section (2), may, within a period of thirty days from the date of receipt of such order, appeal to the Commissioner, in such form and in such manner, as may be prescribed.

(4) The Commissioner may after giving the person aggrieved an opportunity of being heard, pass such order as he thinks fit.

(5) Any person aggrieved by an order passed by the Commissioner under sub-section (4) may, within ninety days from the date of receipt of such order, prefer a revision petition to the High Court:

Provided that no appeal or revision shall be entertained under sub-section (3) or sub-section (5), as the case may be,



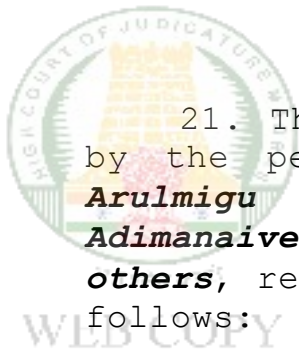
unless it is accompanied by satisfactory proof of deposit of the lease rent so fixed or refixed, in the account of the religious institution concerned and such amount shall be adjusted towards the lease amount payable by the lessee as per the order passed in the appeal or revision, as the case may be."

17. Apart from Section 34-A of the Act, certain Government Orders and Circulars were also issued by the Government for fixation of fair rent to the shops leased out by religious institutions.

18. As early as in the year 1998, guidelines have been prescribed for fixing the fair rent as 1% of the value of the building, as per the Government Order in G.O.Ms.No.56, Commercial Tax and Charitable Endowments Department, dated 19.02.1998. With regard to the vacant sites, which were let out for commercial purposes, 0.5% has been prescribed. Subsequently, vide the Government Order in G.O.Ms.No.353, Tamil Development, Customs and Charitable Endowments Department, dated 04.06.1999, certain modifications have been issued with 0.6% of the value of the shop or the market value / rent prevailing in the area, whichever is higher. The rent fixed shall be revised every three years or otherwise with a hike of 33.33%. Thereafter, certain modifications were brought in, vide the Government Order in G.O.Ms.No.456, Tamil Development and Charitable Endowments Department, dated 09.11.2007, reducing the hike amount to 15% instead of 33.3%.

19. A Circular was also issued in the year 2009 by the Commissioner, Hindu Religious and Charitable Endowments Department, dated 02.02.2009, in Na.Ka.No.40651/2008/M3, that fair rent fixed by the committee shall be communicated to the tenant and they must be provided with an opportunity for objection, if any, within a period of one week and the objections shall be considered by the fair rent committee and if there is no reply, to proceed with the existing materials. Thereafter, further relaxations were granted vide the Government Order in G.O.Ms.No.298, Tamil Development and Charitable Endowments Department, dated 20.07.2010.

20. Neither under Section 34-A of the Act nor under the Government Orders / Circulars issued in this regard, there is any reference with regard to the issuance of prior notice to the tenants before fixing the fair rent. It is only in the year 2009, vide Circular dated 02.02.2009 [referred to in **2009 (6) CTC 512**, cited infra], the Commissioner, Hindu Religious and Charitable Endowments Department, issued a direction that the fair rent fixed by the committee shall be communicated to the tenants and an opportunity shall be provided to them, to get their views.



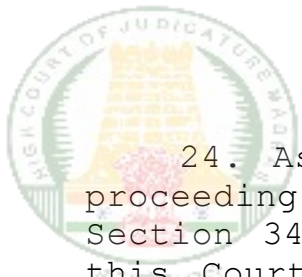
21. That apart, the necessity for a prior notice, as claimed by the petitioners, was already dealt with by this Court in **Arulmigu Angala Parameswari and Kasivishwanathaswami Temple Adimanaiveal House Owners Association v. State of Tamil Nadu and others**, reported in **2009 (6) CTC 512**, wherein, it has been held as follows:

"22. On behalf of the State, it was contended that Section 34-B of the Act, which deals with termination of lease affords the lessee an opportunity of being heard. It is clear from a reading of the Section that the right to terminate the lease arises the moment the lessee fails to pay the rent as determined in Section 34-A of the Act. Therefore, it is no answer to them to say that Section 34-B of the Act gives them an opportunity and therefore, they are not prejudiced if they are not heard before fixing the lease rent. Hypothetically if an exorbitant lease rent is fixed, then the lessee who is unable to pay the rent, automatically becomes liable to have his lease terminated and at that stage, giving him an opportunity may only be an illusory right.

25. **In view of the proceedings dated 02.02.2009**, it is clear that the Government intends to give an opportunity to the lessees before the rent is fixed. Therefore, writ petitioner is given one week time from the date of receipt of copy of this order to give their objections supported by whatever documents they have in their possession and on receipt of the same, the authorities may fix or refix the lease rent in accordance with law."

22. In this case, all the writ petitioners were provided with a notice on the fair rent fixed by the fair rent committee on 09.07.2015 along with the proceedings of the fair rent committee and the writ petitioners, unilaterally, requested for a reduction of rent. Their request was negatived vide proceedings of the Joint Commissioner cum Executive Officer dated 14.09.2015. These proceedings dated 09.07.2015 & 14.09.2015, were challenged before the Commissioner, by way of revision petitions in R.P.Nos.158 to 169/2015, 10 - 78 & 92/2016 and the same were dismissed by the Commissioner, by order dated 28.03.2016.

23. It appears the writ petitioners have neither paid the fair rent fixed nor having any orders for extension of lease and therefore, the Joint Commissioner, Hindu Religious and Charitable Endowments Department, Administration, Madurai, in the meantime, by treating them as encroachers, has initiated action under Section 78 of the Act and passed eviction order, individually, dated 04.09.2015, 18.03.2016 & 22.03.2016, which were also confirmed by the Commissioner and were confirmed.



24. As stated supra, the right of the landlord / temple in proceeding with the auction notice pending the proceedings under Section 34-A of the Act was dealt with by the Division Bench of this Court in W.A.(MD)Nos.511 to 594/2015, dated 06.01.2016, as follows:

"17. Coming to the argument that the respondents have already demanded fair rent and that therefore, the original auction notice became infructuous, we have to state it only to reject it. Even in cases of tenancies, governed by Rent Control Legislations, the request of the landlord to fix fair rent does not preempt the landlord from seeking eviction. Both are independent. Merely because a landlord seeks enhancement of rent or demands arrears of rent, it cannot be presumed that he has given up his right to seek eviction. Hence, the fixation of fair rent by the proceedings dated 07.05.201 cannot be said to have rendered the auction notice, dated 28.04.2015, as redundant or null and void. The right of the landlord to have fair rent fixed for the duration of the time when the tenant continues in occupation is not taken away. Hence the said argument cannot also be accepted.

18. It appears that atleast in respect of four shops, auction went on and it fetched amounts which are 10 times more than the amount now paid. The occupants of those four shops have accepted the auction and they have got fresh lease / license. Therefore, the respondents cannot object even to the auction being conducted by the appellant.

19. On the ground that the proceedings dated 07.05.2015 have not been communicated, the respondents have conveniently gone into a slumber. Therefore, if no auction is conducted and the hands of the appellant are tied, the temple may not be able to augment its resources. Such a state of affairs cannot be brought forth by the Court as observed by the Supreme Court in A.A.Gopalakrishnan v. Cochin Devaswom Board {2007 (7) SCC 485}."

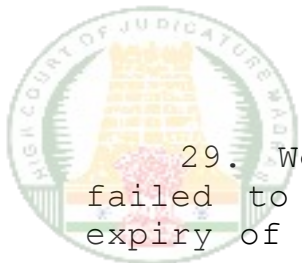
25. The lease was originally granted to the petitioners only for a period of three years and admittedly, the period of lease has already over long back. Any lease beyond five years without the sanction of the Commissioner under Section 34 of the Act is void. For better appreciation, the relevant portion is extracted as follows:

"34. Alienation of immovable trust property. -

(1) Any exchange, sale or mortgage and any lease for a term exceeding five years of any immovable property belonging to, or given or endowed for the purposes of, any religious institution shall be null and void unless it is sanctioned by the Commissioner as being necessary or beneficial to the institution

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28. It is also represented by the learned Standing Counsel that this Court while entertaining the writ petitions in W.P.(MD) Nos.13533, 13655 & 13656 of 2019, has granted an interim order permitting the 63 writ petitions [owners of 91 shops in toto] to manage the shops, upon condition that 50% of the enhanced rent fixed shall be paid regularly, till the disposal of the writ petitions. However, this order has not been complied with by the petitioners and he has also produced a list showing the default amount. This Court has perused the list of defaulters placed by the learned Standing Counsel, which would show that the petitioners in the said writ petitions, though availed an interim protection from this Court, have failed to comply with the conditions imposed therein. This list of defaulters placed by the learned Standing Counsel shall also form part of this order. It is seen that the petitioners have availed every avenue available to them under the Act. However, the non-payment of rent to religious institutions could not be countenanced in the tooth of the provisions of Section 78 of the Act.



29. We are of the view that the writ petitioners, having failed to make the payment of the fair rent fixed, after the expiry of lease period, are encroachers, as has been held by the Department and the Department has also rightly initiated action under Section 78 of the Act. The petitioners are in unauthorised occupation of the shops after the expiry of lease period. Moreover for more than a decade, the petitioners have not paid the rent properly. Therefore, this Court is not inclined to interfere with the impugned orders passed by the Government / first respondent in G.O.Ms.Nos.58, 57 & 56, Tourism, Culture and Religious Endowments (RE 5-1) Department, dated 28.05.2019, respectively. This Court is also not inclined to interfere with the tender notification dated 29.05.2019 issued by the Joint Commissioner cum Executive Officer of the Temple.

30. It is open to the respondents to proceed further in accordance with law. The petitioners shall vacate and hand over the premises within a period of two months from the date of receipt of a copy of this order and if they are not in any default, they are also at liberty to participate in the public auction, if they are so interested.

31. In fine, all the writ petitions are dismissed. No costs. Pending interim orders, if any, shall also stand vacated. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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To

1.The Additional Chief Secretary to Government,
State of Tamil Nadu,
Tourism, Culture and Religious Endowment Department,
Fort St.George, Chennai - 9.

2.The Commissioner,
Hindu Religious and Charitable Endowments,
Nungambakkam High Road, Chennai - 34.



3.The Joint Commissioner,
Hindu Religious and Charitable Endowments,
Administration Department,
Madurai.

4.The Joint Commissioner / Executive Officer,
Arulmighu Dhandayuthapani Swamy Thirukoil,
Palani, Dindigul District.

5CC'S TO MR.V.K.VIJAYARAGAVAN, ADVOCATE SR 13359

KM

21/05/2021

40P/10C

**W.P. (MD) Nos.17241 to 17243, 17245 to 17256,17258, 17259, 17261,
17265, 17267, 17269, 17276,17278 to 17282, 17284, 17285, 17299,
17303, 13533 & 15073 of 2019
22.03.2021**