



WEB COPY



W.P.No.28374 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.12.2022

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.28374 of 2022
and W.M.P.Nos.27680 & 29704 of 2022

Saroja Ramachandran

.. Petitioner

Vs.

1. The Commissioner,
Hindu Religious and Charitable Endowments Department,
Nungambakkam, Chennai - 600 034.
2. The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Kancheepuram, Kancheepuram District.
3. The Assistant Commissioner,
Hindu Religious and Charitable Endowments Department,
Chengalpet, Chengalpet District - 603 002.
4. The Executive Officer,
Arulmigu Kasi Viswanathar Thirukoil,
Kadapakkam at Atchipurishwarar Thirukoil,
Acharapakkam, Madhuranthagam Taluk,
Chengalpet District - 603 301.

.. Respondents

Prayer : Writ Petition has been filed under Article 226 of the Constitution of India seeking a Writ of Mandamus directing the 3rd respondent herein to consider the representation of the petitioner dated 06.04.2022, by fixing the



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annual rent for the land in Survey No.155/10, measuring about 2.50 acres in Kadapakkam Village, Cheyyur Taluk, Chengalpet District as per order of Thasildar made in Na.Ka.No.3245/90/A1, dated 31.10.1990 by permitting the petitioner to cut and remove the standing Eucalyptus trees.

For Petitioner : Mr.R.Sankara Subbu

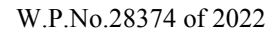
For Respondents : Mr.N.R.R.Arun Natarajan
SGP (HR & CE)

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ORDER

This petition has been filed seeking a direction to the 3rd respondent to consider the representation of the petitioner dated 06.04.2022, by fixing the annual rent for the land in Survey No.155/10, measuring about 2.50 acres in Kadapakkam Village, Cheyyur Taluk, Chengalpet District as per the orders of the Thasildar made in Na.Ka.No.3245/90/A1, dated 31.10.1990 by permitting the petitioner to cut and remove the standing Eucalyptus trees.

2. The learned Special Government Pleader (HR & CE) appearing for the respondents submitted that if the petitioner gives a fresh representation they will consider the same and fix the fair rent as per the guidelines under Section 34-A of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959 and if the petitioner is willing to pay that rent, the



3. Mr.R.Sankarasubbu, learned counsel appearing for the petitioner submitted that if fair rent is fixed as per the G.O. and guidelines under Section 34-A of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959 they are ready to pay the said rent.

4. Such view of the matter, the petitioner is permitted to give a fresh representation within a week from the date of receipt of a copy of this order and thereafter the respondents shall within a period of six weeks fix fair rent under Section 34-A of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959 as the petitioner's right has already been crystallised as a cultivating tenant. Till such time the fair rent is fixed by the respondents as directed above, the petitioner should not be evicted from the said premises. With the above directions, the writ petition is disposed of. Consequently, the implead petition in W.M.P.No.29704 of 2022 and injunction petition in W.M.P.No.27680 of 2022 are closed. No costs.

08.12.2022

Index : Yes / No
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N.SATHISH KUMAR, J.

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