



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.02.2022

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THE HONOURABLE MR. JUSTICE C. SARAVANAN

W.P(MD).No.3385 of 2022

and

W.M.P(MD).No.2965 of 2022

P.Nagarajan

... Petitioner

Vs.

1.The Joint Commissioner,
Tamil Nadu Hindu Religious and Charitable
Endowment Department,
Ellis Nagar,
Madurai.

2.The Joint Commissioner/Executive Officer,
Arulmigu Meenakashi Sundareswarar Temple,
Madurai.

3.The Assistant Commissioner,
Tamil Nadu Hindu Religious and Charitable
Endowment Department,
Ellis Nagar,
Madurai.

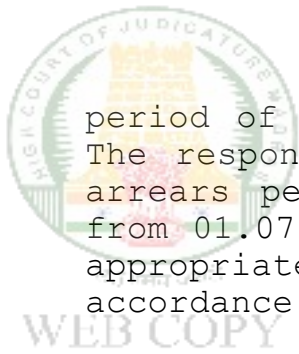
...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 2,3 to open/de-seal the shop bearing Door No.151-B, East Masi Street, Madurai sealed on 16.02.2022 in colorable exercise of power, arbitrary manner and pass order afresh in consonance with the order dated 30.01.2020 and 27.02.2020 made in W.P.(MD).No.3296 of 2018.

For Petitioner	: Mr.R.G.Shankar Ganesh
For R1 to R3	: Mr.P.Subbaraj
	Special Government Pleader
For R2	: Mr.V.R.Shanmuganathan

ORDER

After hearing the learned counsel for the petitioner and the learned counsel for the respondents, this writ petition is disposed of by directing the petitioner to pay the arrears of rent amounting to Rs.2,45,900/- for the period between 2016 and 2019 within a



period of 15 days from the date of receipt of copy of this order. The respondents shall de-seal the shop immediately. As far as the arrears perusant to refixation made in the year 2019 with effect from 01.07.2019 is concerned, the respondents are directed to issue appropriate notice to the petitioner before entering the same in accordance with the provisions of the HR&CE Act, 1959.

2. It is made clear that the shops shall be de-saled immediately. If the petitioner fails to remit the aforesaid amount of Rs.2,45,900/- in arrears within a period of 15 days as specified above, the respondents are thereafter at liberty to proceed against the petitioner in accordance with law. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(Writs)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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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.

To

- 1.The Joint Commissioner,
Tamil Nadu Hindu Religious and Charitable
Endowment Department,
Ellis Nagar, Madurai.
- 2.The Joint Commissioner/Executive Officer,
Arulmigu Meenakashi Sundareswarar Temple, Madurai.
- 3.The Assistant Commissioner,
Tamil Nadu Hindu Religious and Charitable
Endowment Department, Ellis Nagar, Madurai.

+1 CC to M/s.SPL GP (SR-8383[F] dated 24/02/2022)

W.P (MD) .No.3385 of 2022
23.02.2022

smv (CO)

TR(24.02.2022) 2P 5C