



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.04.2022

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P(MD).No.6730 of 2022

and

W.M.P.(MD).No.5200 of 2022

Mary Kasthuri

... Petitioner

Vs.

1.The Joint Commissioner,
HR&CE Department,
Tirunelveli-2.

2.The Assistant Commissioner,
HR&CE Department,
Palayamkottai,
Tirunelveli.

3.The Trustee,
Arulmigu Agastheeswarar Temple,
Ambasamuthiram,
Tirunelveli District.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned communication issued by the first respondent by his proceedings in N.Ref.M.P.No.53/2019 dated 28.03.2022 and quash the same as illegal, consequently direct the first respondent to number the application filed by the petitioner on 14.03.2022 under Order 9 Rule 13 of the Civil Procedure Code for setting aside the ex-parte decree made in M.P.No.53 of 2019 dated 03.03.2022 and proceed further in accordance with law.

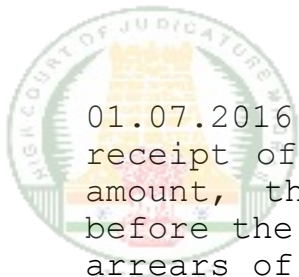
For Petitioner	: Mr.D.Venkatesh
For R1 & R2	: Mr.P.Subbaraj
	Special Government Pleader
For R3	: Mr.V.Thirumal

ORDER

Heard the learned counsel for the petitioner and the learned Special Government Pleader for the respondents 1 and 2.

2. The writ petition stands disposed of by directing the petitioner to pay the arrears of rent for a period commencing from

<https://hcservices.in/hcservices>



01.07.2016 up to date within a period of two weeks from the date of receipt of copy of this order. Subject to the payment of aforesaid amount, the petitioner will be entitled to represent the appeal before the first respondent. Subject to the production of 50% of the arrears of rent as on date, the appeal will be numbered and taken up for final hearing on merits and in accordance with law. It is needless to state that before passing any such order, the petitioner shall be heard. The amount paid by the petitioner should be treated as deposit and will be subject to final appropriation in the appeal. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (RTI)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

1.The Joint Commissioner,
HR&CE Department,
Tirunelveli-2.

2.The Assistant Commissioner,
HR&CE Department,
Palayamkottai,
Tirunelveli.

+1 CC to M/s.V. THIRUMAL, Advocate (SR-19017[F] dated 18/04/2022)

+1 CC to M/s.SPL.GP. (SR-18828[F] dated 13/04/2022)

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12.04.2022

SMV(CO)

GC(02.05.2022) 2P 5C