

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.09.2022

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P(MD).No.16811 of 2022
and
W.M.P(MD).No.12198 of 2022

A.Murugan

... Petitioner

Vs.

1.The Commissioner,
Hindu Religious Endowment Department,
Chennai-34.

2.The Joint Commissioner,
Hindu Religious Endowment Department,
Tirunelveli.

3.The Executive Officer,
Arulmigu Nellaiyappar and Arultharum Gandhimathi
Amman Temple,
Tirunelveli-627 006.
Tirunelveli District.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, direct the 1st Respondent to fix the fair rent to the Petitioner's Shop No.153/C2 based on the Petitioner's representation, dated 08.02.2022 and 05.03.2022 consequently direct the Respondents not to disturb the Petitioner from running the Shop No.153/C2, which is situated in front of the 3rd Respondent temple within the time limit that may be fixed by this Court.

For Petitioner : Mr.A.D.Ganeshamoorthi
For R1 & R2 : Mr.P.Subbaraj
Special Government Pleader
For R3 : Mr.G.Mathavan

ORDER

This writ petition has been filed praying for a writ of Mandamus directing the 1st Respondent to fix the fair rent to the Petitioner's Shop No.153/C2 based on the Petitioner's representation, dated 08.02.2022 and 05.03.2022 consequently direct the Respondents not to disturb the Petitioner from running the Shop No.153/C2, which is situated in front of the 3rd Respondent temple.

2. It is submitted that the Petitioner was in receipt of a notice, dated 25.09.2019 proposing fair rent of Rs.4,300/- (Four Thousand and Three Hundred only) per month for a period from 01.07.2019 to 30.06.2022 and calling upon the Petitioner to submit his objection. The Petitioner had submitted his objection on 12.11.2019. However, no orders have been passed in the Petitioner's representation till now. It was thus submitted that the Petitioner had filed the present writ petition for Mandamus to direct the Respondents to fix the fair rent on consideration of the representations, dated 08.02.2022 and 05.03.2022.

3. It is submitted by the learned Special Government Pleader for the Respondents 1 and 2 that the Petitioner's representations, dated 08.02.2022 and 05.03.2022 would be considered in accordance with law after granting a reasonable opportunity to the Petitioner within a period of eight weeks.

4. Recording the above submission, the writ petition stands disposed of by directing the 1st Respondent to consider the Petitioner's representations, dated 08.02.2022 and 05.03.2022 in accordance with law after granting a reasonable opportunity to the Petitioner within a period of eight weeks from the date of receipt of copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

23.09.2022

Index : Yes / No

Internet : Yes/ No

sn

To

1.The Commissioner,
Hindu Religious Endowment Department,
Chennai-34.

2.The Joint Commissioner,
Hindu Religious Endowment Department,
Tirunelveli.

MOHAMMED SHAFFIQ, J.

sn

3.The Executive Officer,
Arulmigu Nellaiyappar and Arultharum Gandhimathi
Amman Temple,
Tirunelveli-627 006.
Tirunelveli District.

W.P(MD).No.16811 of 2022

23.09.2022