



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **02.03.2022**

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.(MD) Nos.18186, 18224, 18256 and 18258 of 2019
in

W.M.P(MD) Nos.14623, 14660, 14700 and 14703 of 2019

WEB COPY

M.Ganesan	...	Petitioner in W.P.(MD) No.18186 of 2019
Subbulakshmi	...	Petitioner in W.P.(MD) No.18224 of 2019
T.Mahalingam	...	Petitioner in W.P.(MD) No.18256 of 2019
A.Chandra	...	Petitioner in W.P.(MD) No.18258 of 2019

/vs./

- 1.The Commissioner,
Hindu Religious and Charitable Endowment Department,
Nungambakkam,
Chennai.
 - 2.The Joint Commissioner,
Hindu Religious and Charitable Endowment Department ,
Sivagangai Region,
Sivagangai.
 - 3.The Manager,
Sivagangai Devasthanam,
Sivagangai.
 - 4.The Superintendent,
Thiruvettriur Range,
Sivagangai Devasthanam,
Sivagangai.
- ... Respondents in all W.Ps.,

COMMON PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records relating to the impugned order/notice issued by the 4th respondent in ந.க.எண்.டி1.22/18 dated 02.08.2019 and set aside the same as illegal and arbitrary, consequently directing the 4th respondent to keep the old rent as a floor for the petitioner's house.

For Petitioners	
in all W.Ps.,	: No appearance
For R1 & R2	
in all W.Ps.,	: Mr.P.Subbaraj
	Special Government Pleader
For R3 & R4	
in all W.Ps.,	: Mr.S.Madhavan

**COMMON ORDER**

The petitioners have challenged the impugned order/notice, wherein they were called upon to pay arrears of rent for the period between 01.07.2017 to 30.06.2019. The details of the arrears demanded from the petitioners and the monthly rent, on which the aforesaid demand has been made, are as under:-

S.No.	Names	Monthly Rent	Arrears	Area (sq.ft.,)	Period
1	M.Ganesan	Rs.1,300/-	Rs.27,573	1308	01.07.2017 to 30.06.2019
2	Subbulakshmi	Rs.2,200/-	Rs.47,625	2160	-do-
3	T.Mahalingam	Rs.2,800/-	Rs.64,379	2706	-do-
4	A.Chandra	Rs.1,500/-	Rs.33,984	1458	-do-

2.The only ground, on which these writ petitions have been filed, is that no enquiry has been made before fixing the fair rent. It is submitted that the petitioners, who are doing agricultural work, are the poor people and therefore, they are not capable of paying the arrears.

3.It is noticed that as on date of filing of the present writ petitions, the petitioners have not paid the arrears and have enjoyed the benefit during the pendency of the writ petitions. Therefore, there is no case made out for interfering with the impugned order/notice, calling upon the petitioners to pay arrears.

4.Considering the fact that the petitioners are from rural area, while dismissing these writ petitions, liberty is given to the petitioners to pay the arrears of rent as on date within a period of two months from the date of receipt of a copy of this order and also file an appropriate application for regularising their rights as tenants with the temple. The petitioners shall continue to pay the revised rents periodically, failing which the respondents are at liberty to proceed against them in accordance with law. In case, there is no recognition of such rights, the petitioners shall vacate the premises. No costs. Consequently, connected miscellaneous petitions are closed.

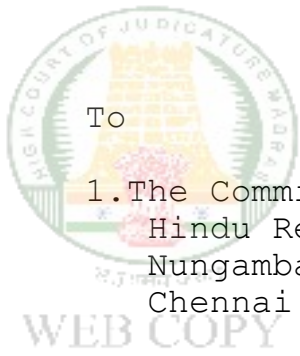
Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)



To

- 1.The Commissioner,
Hindu Religious and Charitable Endowment Department,
Nungambakkam,
Chennai.
- 2.The Joint Commissioner,
Hindu Religious and Charitable Endowment Department ,
Sivagangai Region,
Sivagangai.

+1 CC to The Special Government Pleader (SR.No.9785)

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RS (21.03.2022) 3P-4C