



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.02.2022

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P(MD).No.1305 of 2018
and
W.M.P(MD).No.1368 of 2018

Chandran

... Petitioner

Vs.

The Deputy Commissioner/Executive Officer,
Arulmigu Kallalagar Temple,
Alagarkoil,
Madurai District.

...Respondent

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 of the respondent dated 27.03.2017 in proceedings Na.Ka.No.505/2016-29/B1, quash the same, as the same is arbitrary, contrary to the provisions envisaged under Section 34-A, of Tamil Nadu Hindu Religious and Charitable Endowment Act 22/1959, in violation of the principles of the principles of natural justice, audi alteram partem, and G.O.No.298 dated 20.07.2010, and consequentially direct the respondent to refix the rent in respect of the property bearing Door No.19/3, New Kuyavarplayam, New Mahalipati Road, Madurai.

For Petitioner	: Mr.R.G.Shankar Ganesh
For Respondent	: Mr.S.Manohar

ORDER

The learned counsel for the petitioner submits that no further instructions have been received and therefore, he is unable to proceed with the case.

2. Incidentally, the petitioner had also challenged a similar order for Door Nos.19/1 and 19/2 in W.P.(MD).Nos.21274 and 21276 of 2017 and by a common order dated 20.11.2017, this Court had dismissed the said writ petition and had declined to interfere by giving permission to the petitioner to file an objection before the Joint Commissioner within a period of two weeks from the date of receipt of copy of this order.



3. Considering the fact that the petitioner has challenged fixation of fair rent and since that orders are appealable, the liberty is given to the petitioner to workout alternate remedy under the HR&CE Act.

4. The Writ Peition is therefore dismissed with liberty. No costs. Consequenlty, the Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-III)

// 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

The Deputy Commissioner/Executive Officer,
Arulmigu Kallalagar Temple,
Alagarkoil,
Madurai District.

+1 CC to M/s.S.MANO HAR, Advocate (SR-6725[F] dated 17/02/2022)

W.P (MD) .No.1305 of 2018

15.02.2022

TP (CO)

GC(11.03.2022) 2P 3C