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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.06.2023

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THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P No.6820 of 2023
and W.M.P No.6917 of 2023

Mr.K.Vajaravelu

Petitioner

VS.

- 1.The Commissioner,
Tamil Nadu Hindu Religious Charitable and Endowments Department,
Door No.119, Uthamar Gandhi Salai,
Nungambakkam, Chennai – 600 034.
- 2.The Joint Commissioner,
Tamil Nadu Hindu Religious Charitable and Endowments Department,
Door No.119, Uthamar Gandhi Salai,
Nungambakkam, Chennai – 600 034.
- 3.The Assistant Commissioner,
Tamil Nadu Hindu Religious Charitable and Endowments Department,
Door No.119, Uthamar Gandhi Salai,
Nungambakkam, Chennai – 600 034.
- 4.The Arulmigu Reveeswar Temple,
Represented by its Trustee,
Murthinagar Street, Vyasarpadi,
Chennai – 600 039.
- 5.The Executive Officer,
Arulmigu Reveeswar Temple,
Murthinagar Street, Vyasarpadi,
Chennai – 600 039.

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance
of a Writ of Certiorari, calling for the entire records in pertaining to the impugned



notice affixed on/in the petition property's bearing Door No.66, situated at Erukkanchery High Road, Vyasarpadi, Chennai 600 039, on 10.02.2023 for sealing the petition property and attached the same, as per the section 79 (c) of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959 from the 5th Respondent and quash the same.

For Petitioner : No Appearance

For Respondents : Mr.N.R.R.Arun Natarajan
Special Government Pleader

ORDER

This Court passed the following order on 15.03.2023.

This Writ Petition has been filed against the Show Cause Notice issued under Section 79(c) of Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959, as to why the building should not be sealed for the arrears of rent.

2.Mr.K.Karthikeyan, the learned Government Advocate appearing for the Hindu Religious Charitable and Endowments Department based upon the instructions from the Executive Officer, Arulmigu Raveeswar Temple, Vyasarpadi, Chennai submitted that, the property is now enjoyed by K.Vajravelu, Nagaraj and Arumugam and the petitioner is running a commercial building and also a residential area to an extent of 216.48 Sq.ft and Commercial building to an extent of 293.52 Sq.ft, in total 510 Sq.ft. The copy of the split up details of year wise rental arrears is also served on the learned counsel for the



petitioner.

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3. It appears that K.Kannappan, father of the petitioner also remitted some amount and after adjustment of the said amount, with regard to a portion occupied by the petitioner, including the arrears of rent comes about Rs.10,58,640/- (Rupees Ten Lakhs Fifty Eight Thousand Six Hundred and Forty only).

4. Hence, there shall be an order of interim stay, on condition that the petitioner shall deposit the entire amount in four monthly installments viz., Rs.3,08,640/-, Rs.2,50,000/-, Rs.2,50,000/- and Rs.2,50,000/-, within a period of four months from the date of receipt of a copy of this order. If the petitioner failed to pay any one of the installment as stated above, the interim order granted by this Court shall stand automatically vacated and it is open to the respondents to proceed in accordance with notice under Section 79(c) of the Tamil Nadu Religious and Charitable Endowments Act, 1959.

5. Post the matter on 16.06.2023.

2. When the matter was taken up for hearing today, the learned Special Government Pleader submitted that interim order passed by this Court has not been complied with by the petitioner.



3. In view of the above, the default clause of the interim order will come into effect and it is left open to the respondents to proceed in accordance with the notice issued under Section 79(c) of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959.

4. Accordingly, this writ petition stands dismissed. No Costs. Consequently, connected miscellaneous petition is closed.

16.06.2023

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
ssr

To

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N. ANAND VENKATESH, J.

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