



WEB COPY



W.P.No.7809 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.03.2023

CORAM

THE HONOURABLE MR. JUSTICE RMT.TEEKAA RAMAN

W.P.No.7809 of 2023

and

W.M.P.No.8034 of 2023

1.S.Mohan,
S/o.K.Selvaraj

2.Padmavathy,
W/o.K.S.Dakshinamurthy
Door No.71, Plot No.52,
Kodambakkam Road,
Saidapet, Chennai 600 015.

... Petitioner

Vs.

1.The Secretary to the Government of Tamil Nadu
Hindu religious and Charitable Endowments
Fort St. George, Chennai 600 009.

2.The Commissioner,
Hindu religious and Charitable Endowments
No.119, Uthamar Gandhi Salai,
Nungambakkam, Chennai 600 034.

3.The Joint Commissioner
Hindu religious and Charitable Endowments
No.119, Uthamar Gandhi Salai,
Nungambakkam, Chennai 600 034.

3.The Assistant Commissioner



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Hindu religious and Charitable Endowments
Padi, Chennai 600 050.

5.The Executive Officer,
Thiru Karneeswarar Koil
Chennai 600 015.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the first respondent to dispose of the appeal dated 19.02.2018 filed by the Petitioner challenging the order dated 15.12.2017 passed in R.P.No.290 of 2017 the second Respondent in respect of the property bearing Old Door No.71, New No.175, Kodambakkam Road, Saidapet, Chennai 600 015 within the time frame.

For Petitioner : Mr.L.Dhamodharan

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

ORDER

This Writ Petition has been filed seeking direction to the first respondent to dispose of the appeal dated 19.02.2018 filed by the Petitioner, challenging the order dated 15.12.2017 passed in R.P.No.290 of 2017 by the second Respondent in respect of the property bearing Old Door No.71, New No.175,



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Kodambakkam Road, Saidapet, Chennai 600 015.

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2.Mr.N.R.R.Arun Natarajan, learned Special Government Pleader, takes notice for the Respondents.

3.Heard the learned counsel for the Petitioners and the learned counsel for the Respondents.

4.Learned Special Government Pleader on instruction submitted that since default notice has been issued, proceedings has been culminated by the Commissioner in RP.No.290/2017 and disposed of on 15.12.2019. Thereafter, with the assistance of police, those two shops under the occupation of the Petitioners herein was sealed. Subsequently his sub-tenants, who are 5 in number filed WP.No.22848, 22850, 22863 & 22870 of 2022 for taking the land as direct tenants. The same appears to have been allowed by this Court. Thereafter the tenancy was accepted by the temple and they are paying the rent directly to the temple for the last two years in respect of the petition premises.

5.Learned Special Government Pleader would further state that the fair



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rent has been fixed on 01.07.2016 and the balance of arrears in respect of shop No.52 is Rs.31,55,813/- and in respect of Shop No.54 is Rs.31,55,668/-, in total Rs.63,11,501/-. Since the direction sought for in this Writ Petition is for disposal of the appeal, the same shall be considered by the 1st Respondent and orders shall be passed, on payment of arrears of rent by the Petitioners, within a period of eight weeks, from the date of receipt of a copy of this order, failing which, the direction given by this Court shall not lie.

6.In fine, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

14.03.2023

Index : Yes/No
Neutral citation : Yes/No
Speaking Order/Non-Speaking Order

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