



WP.No.25903 of 2022

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.01.2023

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

WP.No.25903 of 2022 &

W.M.P.No.24986 of 2022

V.Srinivasan

... Petitioner

Vs

1. The Commissioner,
Hindu Religious and Charitable Endowments Department,
Nungambakkam, Chennai – 600 034.
 2. The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Nungambakkam, Chennai – 600 034.
 3. The Assistant Commissioner,
Hindu Religious and Charitable Endowments Department,
Nungambakkam, Chennai – 600 034.
 4. The Executive Officer,
Arulmighu Pachaiaimman Thirukoil,
Anna Salai, Chennai – 600 002.
 5. The Inspector [Zone – 3],
Hindu Religious and Charitable Endowments Department,
Nungambakkam, Chennai – 600 034.
- .. Respondents



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Prayer:- Writ Petition filed under the Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus calling for the records of the fourth respondent's undated notice served on the petitioner in person on 16.09.2022 under the caption “land tenement” and to quash the same as illegal, invalid and arbitrary and consequently direct the respondents to fix the fair rent in respect of the petition premises which is in the petitioner's occupation after due notice to the petitioner as per law.

For Petitioner : Mr.Ashok Menon

For Respondents : Mr.N.R.R.Arun Natarajan
Special Government Pleader – R1 to 3 & 5

ORDER

This Writ Petition has been filed to quash fourth respondent's undated notice served on the petitioner in person on 16.09.2022 under the caption “land tenement” as illegal, invalid and arbitrary and consequently direct the respondents to fix the fair rent in respect of the petition premises which is in the petitioner's occupation after due notice to the petitioner as per law.

2. The learned counsel appearing for the petitioner submitted that the petitioner has already paid a sum of Rs.3 lakhs towards arrears of rent and



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total arrears of rent is Rs.4,70,000/- and remaining Rs.1,70,000/- would be paid within a period of four weeks. Hence, she prays that on such payment, his tenancy may be regularized.

3. Considering the submissions of the learned counsel appearing for the petitioner, the petitioner is directed to pay the remaining amount of Rs.1,70,000/- [Rupees one lakh seventy thousand only] on or before 06.02.2023 before the fourth respondent. Thereafter, the petitioner may make an application before the first respondent for regularizing his tenancy and on such application, the first respondent is directed to consider the claim of the petitioner for regularizing the tenancy and pass Order within a period of one month. It is made clear that if the amount is not paid within the time agreed before this Court, it is well open to the respondent to proceed for eviction.

4. With the above direction, this Writ Petition is disposed of. Consequently, connected miscellaneous petition is closed. No costs.



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To

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2. The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Nungambakkam, Chennai – 600 034.
3. The Assistant Commissioner,
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N.SATHISH KUMAR, J.

vrc

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