



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.07.2023

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THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.17230 of 2023

and

W.M.P(MD)Nos.14432, 14433 &14434 of 2023

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... Petitioner

Vs.

1. The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Neelagrishwarar Thoppu,
Srirengam, Trichy.
2. The Assistant Commissioner,
Hindu Religious and Charitable Endowments Department,
Neelagrishwarar Thoppu,
Srirengam, Trichy.
3. The Executive Officer/Thakkar,
Arulmigu Semmalai Kannimar Mariyamman
Karuppasamy Vagaiyara Thirukovilgal,
Kambalathupatty, Sekkanam Village,
Manapparai Taluk,
Trichy District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a ***Writ of Certiorari***, to call for the records pursuant to the impugned notice, dated 23.05.2018 and consequential impugned notice in Na.Ka.No.27/1433, dated 01.07.2023 issued by the 3rd respondent, to quash the same.



For Petitioner : Mr.B.Anandan

For R-1 & R-2 : Mr.S.Kameswaran
Government Advocate, for R-1 & R-2

For R-3 : Mr.G.Mathavan

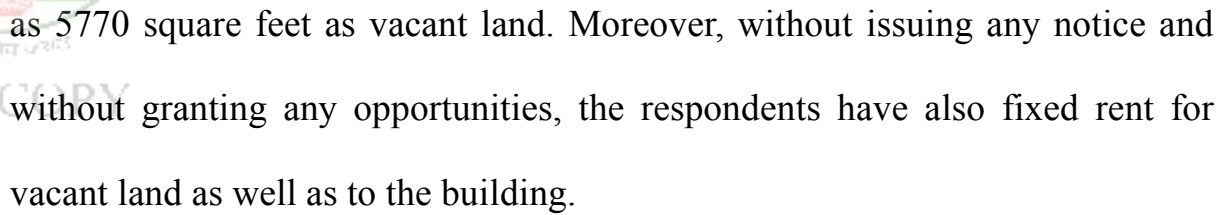
ORDER

This writ petition has been filed challenging the impugned notice, dated 23.05.2018 and the consequential impugned notice, dated 01.07.2023.

2. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. Heard Mr.B.Anandan, learned Counsel appearing for the Petitioner and Mr.S.Kameswaran, learned Government Advocate appearing for the respondent Nos.1 & 2 and Mr.G.Mathavan, learned counsel appearing for the 3rd respondent.

4. Admittedly, the petitioner is occupying the space belonging to the 3rd respondent Temple. According to the petitioner, he is occupying 336 sq ft. as shed and 3200 sq.ft. as vacant land, for which the rent is fixed, as Rs.1000/-. Suddenly, the respondents have raised the rent and fixed as Rs.12,550/-. Moreover, in the impugned notice the area is wrongly mentioned



6. According to the petitioner and the respondents, the petitioner has already paid some amount and the said amount shall be deducted while calculating rent as Rs.5000/-. The petitioner shall also pay arrear amount based on the above direction. The arrear amount shall be paid, within a period of 3 months. As far as the re-fixation is concerned the respondents shall conduct enquiry within a period of 6 months for re-fixation. Based the re-fixation order that would be passed after the enquiry, the petitioner shall pay the same.



7. With these directions and observations, this Writ Petition is disposed of. No Costs. Consequently, ***WMP(MD)No.14433 of 2023 is allowed and WMP(MD)Nos.14432 &14434 of 2023*** are closed.

18.07.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No

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Srirengam,
Trichy.
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S.SRIMATHY, J.

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