



W.P.(MD).No.22798 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.09.2023

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD).No.22798 of 2023

and

W.M.P.(MD)Nos.19046 and 19048 of 2023

M.Sundaram

... Petitioner

Vs.

- 1.The Secretary to Government,
Hindu Religious and Charitable
Endowments Department,
St.George Fort, Chennai-9.
- 2.The Commissioner,
Hindu Religious and Charitable
Endowments Department,
Chennai-600 034.
- 3.The Joint Commissioner,
Hindu Religious and Charitable
Endowments Department,
Tanjavoor.
- 4.The Assistant Commissioner,
Hindu Religious and Charitable
Endowments Department,
Pudukkottai.



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5.The Executive Officer,
Arulmigu Kasiviswanathasamy Kovil,
Agavayal (Thenipatti),
Konnaiyur, Ponnamaravathi Taluk,
Pudukkottai.

6.The Tahsildar,
Thirumayam Taluk,
Thirumayam, Pudukkottai 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 pertaining to the impugned order, dated 16.08.2023, issued by the 5th respondent herein and to quash the same.

For Petitioner	: Mr.R.Paranjothi for M/s.KBS Law Office
For R1 to 4 and 6	: Mr.S.Kameswaran Government Advocate
For R5	: Mr.G.Mathavan

ORDER

This writ petition is filed for issuance of a writ of ***Certiorari***, to call for the records pertaining to the impugned order, dated 16.08.2023, issued by the 5th respondent herein and to quash the same.



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2. The petitioner is a lessee under the 5th respondent temple. The 5th respondent has increased the rent to the lessees which is put to challenge before the appropriate authorities and the same was dismissed. Now, the petitioners had filed revision petition before the 1st respondent Government and the same is pending.

3. Therefore, this Court is not inclined to go into the merits of the case. The 1st respondent is directed to consider the claim of the petitioner and pass appropriate orders. However, the petitioner is directed to deposit 25% of the arrears demand to the 5th respondent and on such deposit, the respondents shall not evict the petitioner from the said premises. Further the petitioner is directed to pay the undisputed amount regularly without any default. As far as the increased rent is concerned, the petitioner shall pay 25% of the rent regularly. The respondents shall consider and pass orders within a period of six months from the date of receipt of a copy of this order.

4. With the above said observation, the writ petition is allowed.



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No costs. Consequently, connected miscellaneous petitions are closed.

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

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S.SRIMATHY, J.

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