



W.P.No.10706 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED : 06.12.2024

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.10706 of 2021
and
W.M.P.No.11347 of 2021

- 1.P.S. Thangasamy Nadar
- 2.A.Amaranulla Khan
- 3.A.Murugan
- 4.M.Murugan
- 5.M.Arul Mani
- 6.M.Kamaraj
- 7.K.Madasamy
- 8.K.Jegatheswari
- 9.T.Renuka
- 10.M.Kamalakannan
- 11.P.Kasi Vishvanathan
- 12.P.Anandhan



W.P.No.10706 of 2021

13.R.Indirani

... Petitioners

WEB COPY

VS.

1.The Commissioner

Hindu Religious and Charitable Endowments Department
Uttamar Gandhi Salai
Nungambakkam, Ch – 34

2.The Assistant Commissioner,
HR and CE Department,
District Collectorate Campus,
Kancheepuram. 631 501.

3.Sri Yathothkari Perumal Swamy Temple

Rep by its Hereditary Trustee – N. Narayanan

Flat.F1, Astabujam Apartment, Kanchipuram – 631 501. ... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st and 2nd Respondents to consider the representation made by the Petitioners on 10.03.2021 and consequently fix FAIR RENTS to the property belonging to the temple by constituting a Fair Rent Fixation Committee as per Section 34A of the HR and CE Act of 1959, thereby protecting the interest of the Tenants/Petitioners herein from illegal eviction by the 3rd Respondent.

For Petitioners : M/s.H.Lucia Priyadarshini

For R1 and R2 : Mr.S.Ravichandran
Additional Government Pleader (HR & CE)

For R3 : Mr.D.Rajagopal



WEB COPY



W.P.No.10706 of 2021

ORDER

The Writ Petition is filed seeking a direction to the respondents 1 and 2 to consider the representation of the petitioners' dated 10.03.2021 and consequently to fix fair rent for the property in occupation of the petitioners under Section 34-A of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959.

2. When the writ petition is taken up for hearing, the learned counsel appearing for the 3rd respondent produced the order passed by the Fair Rent Fixation Committee dated 13.09.2021 fixing fair rent for the properties in occupation of the petitioners.

3. The learned counsel appearing for the petitioners also submits that the copy of the order was communicated to the petitioners and they have also challenged the same before the Commissioner of Hindu Religious and Charitable Endowments Department.



W.P.No.10706 of 2021

4. In view of the fact that the fair rent is already fixed for the properties in occupation of the petitioners, nothing survives for further consideration in this writ petition.

5. The learned counsel appearing for the 3rd respondent also submits that the petitioners are in arrears in payment of the rent. If it is so, it is open to the 3rd respondent to explore all options available under law.

6. Accordingly, the Writ Petition is dismissed. No costs. Consequently, the connection writ miscellaneous petition is closed.

06.12.2024
(2/2)

Index : Yes/No
Speaking order: Yes/No
Neutral Citation: Yes/No
dm



W.P.No.10706 of 2021

To

WEB COPY

1.The Commissioner
Hindu Religious and Charitable Endowments Department
Uttamar Gandhi Salai
Nungambakkam, Ch – 34

2.The Assistant Commissioner,
HR and CE Department,
District Collectorate Campus,
Kancheepuram. 631 501.



WEB COPY



W.P.No.10706 of 2021

S.SOUNTHAR, J.

dm

W.P.No.10706 of 2021

06.12.2024
(2/2)