



W.A.No.2269 of 2024 etc.

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.08.2024

CORAM :

THE HON'BLE MR.D.KRISHNAKUMAR, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.B.BALAJI

W.A.Nos.2269, 2270, 2272, 2273, 2274, 2275, 2276, 2277, 2279,
2280, 2281, 2282, 2284, 2285, 2286, 2289, 2293, 2301, 2302, 2303,
2078, 2080 and 2084 of 2024

and

C.M.P.Nos.16192, 16195, 16196, 16040, 16098, 16105, 16106,
16188, 16029, 16031, 16032, 16033, 16037, 16038, 16042, 16045,
16046, 16049, 16050, 16051, 16052, 16054, 16055, 16058, 16059,
16065, 16066, 16072, 16073, 16075, 16076, 16082, 16083, 16090,
16091, 16092, 16093, 16097, 16189, 16191, 14682, 14680, 14669,
14670, 14672 and 14673 of 2023

W.A.No.2269 of 2024:

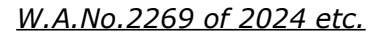
S.Thangamani

.. Appellant

Vs

1. The State

Rep. by its Additional Chief Secretary to Government
Tourism, Culture and Religious Endowments Dept,
Govt. of Tamil Nadu, Fort St. George,
Secretariat,
Chennai – 600 009.



- Prayer in W.A.No.2269 of 2024: Appeal under Clause 15 of the Letters Patent against the order dated 1.7.2024 passed by the learned Single Judge in W.M.P.No.19759 of 2024 in W.P.No.18010 of 2024.

For the Appellants in all : Mr.AL.Gandhimathi
the writ appeals Senior Counsel
for M/s.L.Palanimuthu

For the Respondents in : Mr.N.R.R.Arun Natarajan
all the writ appeals Spl. Govt. Pleader (HR & CE)



W.A.No.2269 of 2024 etc.

WEB COPY

COMMON JUDGMENT

(Delivered by the Hon'ble Acting Chief Justice)

The appellants in these writ appeals are the licensees in respect of the shops put up in the land which was let out to them by Arulmigu Koodal Alagar Temple. The third respondent directed eviction of the appellants. The statutory appeal and revision filed by the appellants were dismissed by the respondent authorities. Assailing the same, the appellants filed writ petitions.

2. The learned Single Judge, vide the order dated 1.7.2024 which is impugned in these appeals, recorded the undertaking given by learned counsel for the appellants that the appellants would vacate the premises on or before 16.7.2024. The shop keepers were directed to file an affidavit of undertaking to that effect. It was further held that if the appellants do not vacate the premises on or before 16.7.2024, then, on 18.7.2024, the officials may proceed with the demolition of the structure of the shops surrounding the Theppakulam. Assailing the said order, the present appeals are filed.



W.A.No.2269 of 2024 etc.

WEB COPY

3. Heard learned Senior Counsel appearing on behalf of the appellants and learned Special Government Pleader (HR & CE) appearing on behalf of the respondents.

4. Today, affidavits of undertaking have been filed by the appellants praying for one year time to vacate the premises in question and deliver vacant possession of the land to the respondent authorities.

5. After a studied scrutiny of the overall conspectus of the matter, more particularly on considering the fact that the appellants are licensees under the fifth respondent temple for several years, and in the light of the affidavits of undertaking filed by the appellants, we issue the following directions:

- i. The appellants are granted time till 31.3.2025 to vacate the premises and handover the possession of the land to the respondents;
- ii. The said latitude is granted on the basis of the specific undertaking given by the appellants that no application shall be filed by the appellants seeking



W.A.No.2269 of 2024 etc.

WEB COPY

- grant of further time to vacate the premises;
- iii. If the appellants do not vacate and handover the premises on or before 31.3.2025, the respondents can proceed further and take possession of the premises, without any further notice; and
- iv. The appellants are directed to pay the license fee for the period from August, 2024 to December, 2024, within a period of two weeks from the date of receipt of a copy of this order. The license fee for the period from January, 2025 to March, 2025 shall be paid on or before 15.1.2025. In case of default, the respondents are at liberty to take further action for evicting the appellants without any further notice.

These writ appeals are disposed of with the aforesaid directions. There shall be no order as to costs. Consequently, the connected miscellaneous petitions are closed.

(D.K.K., ACJ.) (P.B.B, J.)
05.08.2024

Index : Yes/No
NC : Yes/No
bbr



W.A.No.2269 of 2024 etc.

To

WEB COPY

1. The Additional Chief Secretary to Government
Tourism, Culture and Religious Endowments Dept,
Govt. of Tamil Nadu, Fort St. George,
Secretariat, Chennai – 600 009.
2. The Commissioner
Hindu Religious and Charitable Endowments Dept
Mahatma Gandhi Road,
Nungambakkam,
Chennai – 600 034.
3. The Joint Commissioner
Hindu Religious and Charitable Endowments Dept
Madurai - 625 001.
4. The Assistant Commissioner
Hindu Religious and Charitable Endowments Dept
Madurai - 625 001.
5. The Assistant Commissioner/Executive Officer
Arulmighu Koodal Alagar Temple,
Madurai - 625 001.



WEB COPY



W.A.No.2269 of 2024 etc.

THE HON'BLE ACTING CHIEF JUSTICE
AND
P.B.BALAJI, J.

bbr

W.A.Nos.2269, 2270, 2272,
2273, 2274, 2275, 2276, 2277,
2279, 2280, 2281, 2282, 2284,
2285, 2286, 2289, 2293, 2301,
2302, 2303, 2078, 2080 and
2084 of 2024

05.08.2024