



W.P. No. 29288 of 2023

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 13.02.2024**

**CORAM**

**THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU**

**W.P. No. 29288 of 2023**

Arulmighu Oppillatha Amman Temple  
Rep. By its Hereditary Trustee K.R.Durai  
No. 24, Big Palace, Ariyalur – 621704  
Ariyalur District.

... Petitioner

-VS-

1. The Commissioner  
Hindu Religious and Charitable Endowments Department  
Chennai – 34.
2. The Assistant Commissioner  
Hindu Religious and Charitable Endowments Department  
Ariyalur.
3. The Commissioner  
Ariyalur Municipality  
Ariyalur.

... Respondents

**Prayer:-** Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the Third Respondent to deposit three months' rent as advance and continue pay the monthly rent of Rs. 49,000/- from 01.05.2023 to the Petitioner Temple for the lease of the land in Survey No. 53/1, Ameenabad Village, Ariyalur Taluk, Ariyalur District in terms of the lease conditions stipulated by the First Respondent in Na.Ka. No. 2823/2023/R3 dated 25.04.2023.



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For Petitioner : Mr. S.Kamadevan

For Respondents : Mr. K.Karthikeyan, GA (RR1 & 2)

Mr. T.C.Harinath for Ms. Anitha (R3)

## ORDER

Heard Mr. S.Kamadevan, Learned Counsel for the Petitioner, Mr. K.Karthikeyan, Learned Government Advocate appearing for the First and Second Respondents and Mr. T.C.Harinath, Learned Counsel appearing for the Third Respondent and perused the materials placed on record, apart from the pleadings of the parties.

2. The grievance ventilated by the Petitioner is that the Third Respondent, who is in occupation of the property belonging to its Temple, has not paid the advance amount and the rental dues, which has necessitated the filing of this Writ Petition.

3. It is informed that in furtherance to the interim order passed by this Court on 11.10.2023, the Third Respondent has on 11.12.2023 invested the sum of



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Rs. 2,94,000/- due towards the advance amount and the rental arrears in Fixed Deposit No. 42511374101 in State Bank of India, ACB Ariyalur Mela Agraharam Branch, Trichy Main Road, Ariyalur-621704 in the name of 'The Commissioner, Hindu Religious and Charitable Endowments Department, Chennai' and its copy has been placed on record. It is further explained the Third Respondent that the said payment that had been withheld on account of the pendency of the case relating to the title to the property of the Petitioner in A.S. No. 2 of 2022 before the Principal District Judge, Ariyalur, and as it has been subsequently decided in favour of the Petitioner by judgement and decree dated 30.10.2023 there is no more impediment for making payment of the amount due to the Petitioner in this case.

4. In such circumstances, the First Respondent shall encash the said amount of Rs. 2,94,000/- lying in Fixed Deposit and make payment of that amount to the Petitioner under written acknowledgment expeditiously. It is needless to add here that it is incumbent upon the Third Respondent to make payment of the future monthly rents directly to the Petitioner on the due dates without brooking any delay.



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**WEB COPY** In the result, the Writ Petition is disposed on the aforesaid terms. No costs.

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Index: Yes/No

NCC: Yes/No

**Note: Issue order copy by 05.06.2024.**

*Maya*

To

1. The Commissioner  
Hindu Religious and Charitable Endowments Department  
Chennai – 34.
2. The Assistant Commissioner  
Hindu Religious and Charitable Endowments Department  
Ariyalur.
3. The Commissioner  
Ariyalur Municipality  
Ariyalur.



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**P.D. AUDIKESAVALU, J.**

*Maya*

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