



WP (MD) No.18285 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.03.2024

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP (MD) No.18285 of 2023

Karthik

... Petitioner

Vs

- 1.The District Collector,
Trichy District,
Trichy.
- 2.The Commissioner,
HR and CE Department,
No.119, Uthamar Gandhi Road,
Thousand Lights West,
Nungambakkam,
Chennai, Tamil Nadu - 600 034.
- 3.The Joint Commissioner,
HR and CE Department,
Srinivasa Nagar,
Thiruvanaikovil,Trichy.
- 4.The Executive Officer,
Office of Arulmigu Venugovalsamy Temple,
Heeber Road, Bheema Nagar,
Trichy.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for a writ of mandamus directing the respondents 3 to 4 to issue the shop allotment order based on the representation dated 17.07.2023 in respect of the



WP (MD) No.18285 of 2023

shop with land code LD/46414/2-1-0 situated at Arulmigu Venugopalswamy temple in Heeber road, Beema Nagar, Trichy District.

For petitioners : No representation

For Respondent : Mr.P.Subbaraj,

Nos.1 to 3 Spl.Govt.Pleader

For Respondent : Mr.K.V.Chandrasekar

No.4

ORDER

This writ petition has been filed seeking a writ of mandamus to issue an allotment order to the petitioner with regard to the shop of the respondent temple.

2.There is no representation for the petitioner.

3.The learned Counsel appearing for the respondent temple submits that this shop was allotted on lease to one Deenadhayalan, who has sub-leased the said shop to the petitioner and he is in occupation of the shop. Since the petitioner is in occupation of the temple shop, this petitioner has submitted a representation dated 17.07.2023 to allot the shop and filed this writ petition.



WP (MD) No.18285 of 2023

4.He further submits that there is no provision for recognising this petitioner as a tenant. The property of the temple can be leased out only by way of public auction as per the provisions of the Religious Institutions (Lease of Immovable Property) Rules, 1963. Therefore, the relief sought for in this writ petition cannot be granted. Further the temple has initiated action under Section 78 of the Hindu Religious and Charitable Endowments Act and the issue is pending before Joint Commissioner.

5.Recording the above said submission, this writ petition is closed with liberty to the petitioner to participate in the auction. No costs.

01.03.2024

dsk



WP (MD) No.18285 of 2023

WEB COPY

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WP (MD) No.18285 of 2023

B.PUGALENDHI, J.

dsk

WP (MD) No.18285 of 2023

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