



W.P.(MD)Nos.8594 to 8602 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 04.01.2024

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)Nos.8594 to 8602 of 2018
and W.M.P.(MD)Nos.8078 to 8087 of 2018

W.P.(MD)No.8594 of 2018

S.Sankarammal

... Petitioner

versus

1. The Joint Commissioner,
Hindu Religious & Charitable Endowments Board,
Sivagangai Region,
Sivagangai.

2. The Executive Officer,
Hindu Religious & Charitable Endowments Board,
Arulmighu Mayuranadhaswami Thirukkivil,
Pethavanallur Village,
Rajapalayam Taluk,
Virudhunagar District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India,
seeking for the issuance of Writ of Certiorari, to call for the
proceedings dated 17.03.2017 and 01.03.2018 on the file of the
Executive Officer, Hindu Religious & Charitable Endowments Board,



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Arulmighu Mayuranadhaswami Thirukkivil, Pethavanallur Village,
Rajapalayam Taluk, Virudhunagar District, the respondent No.2 herein
and quash the same.

For Petitioner : No appearance
For R1 : Mr.P.Subba Raj,
Special Government Pleader
For R2 : Mr.Mahendran

COMMON ORDER

The petitioners are permissive occupiers/sub lessees of the residential houses and buildings belonging to the second respondent Temple. While so, the second respondent has issued a notice dated 17.03.2017, enhancing the rent to Rs.2,680/- and thereafter, issued a reminder notice dated 01.03.2018 demanding the enhanced rent along with the arrears of rent. Challenging the same, the present writ petitions are filed.

2. The main grievance of the petitioners was that the rent was revised without providing an opportunity of hearing to them.



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3. Considering the grievance of the petitioners, this Court, while entertaining these writ petitions on 19.04.2018, has granted an order of interim stay.

4. During the pendency of the writ petitions, the respondents have decided to reconsider the issue of fixation of rent in respect of the residential buildings. Accordingly, the Rent Fixation Committee headed by the Joint Commissioner of HR&CE Department, Madurai, vide his proceedings dated 15.02.2021, revised the rent as Rs.2,200/- instead of Rs.2,680/-. According to the respondents, the revised rent of Rs.2,200/- was accepted by the petitioners.

5. On the last hearing, the learned counsel appearing for the petitioner submitted that the petitioners are paying the revised rent and now, they are not having any issue with the second respondent. However, for the written instruction from the Temple, these writ petitions were adjourned.



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6. Today, the second respondent has also filed a counter affidavit stating that the petitioners have agreed for the revised rent and now, they are also paying the revised rent to the Temple authority.

7. In view of the stand taken by the second respondent, these writ petitions are closed. No costs. Consequently, connected miscellaneous petitions are closed.

04.01.2024

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NCC : Yes / No.

Index : Yes / No.

Internet : Yes / No.

To

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Sivagangai.

2. The Executive Officer,
Hindu Religious & Charitable Endowments Board,
Arulmighu Mayuranadhaswami Thirukkivil,
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B.PUGALENDHI, J.

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