



W.P(MD).No.21825 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.10.2024

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THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P(MD).No.21825 of 2024

and

W.M.P(MD).Nos.18465 & 18466 of 2024

R.Damotharan

... Petitioner

Vs

1. The Commissioner,
Hindu Religious and Charitable Endowment Department,
Nungambakkam, Chennai.

2. The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
Trichy District.

3. The Executive Officer,
Arulmigu Pattabiramasamy Bajanaimadam,
Sirugamani, Trichy District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus to call for the records in pursuant to the impugned fixation of fair rent, dated 20.05.2024 and the consequential demand notice dated 03.07.2024 issued by the third respondent in respect of the land of an extent of 2363 sq.ft housing site in Survey No. 165 in Bajanaimadam Street, Pettavaithalai Village, Trichy District and quash the same and direct the respondents to conduct fresh consideration to fix the fair rent by give adequate opportunity of hearing to the petitioner.



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For Petitioner : Mr.M.Karthikeya Venkitachalapathy

For R1 & R2 : Mr.K.S.Selvaganesan
Additional Government Pleader

For R3 : Mr.V.Chandrasekar

ORDER

The present writ petition is filed seeking to set aside the fixation of fair rent, dated 20.05.2024, the consequential demand notice, dated 03.07.2024 issued by the third respondent with regard to the land in S.No.165, Bajanimadam Street, Pettavaithalai Village, Trichy District and to direct the respondents to fix a fair rent afresh.

2.After making brief submissions, it was submitted by the learned Counsel for the petitioner that the petitioner may be permitted to file an application under Section 34(a)(3) of Tamilnadu Hindu Religious & Charitable Endowment Act, after remitting the fair rent fixed from **18.10.2023**, which was not objected by the learned Counsels appearing for the respondents.

3.In view of the above, this writ petition is disposed of with liberty to the petitioner to file an appeal within a period of two weeks, from the date of



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receipt of a copy of this order, subject to paying fair rent fixed by the committee from 18.10.2023. If such an appeal is filed, the same shall be taken on file without reference to limitation subject to remitting the fair rent fixed from 18.10.2023 and the same shall be disposed of in accordance with law after affording reasonable opportunity of hearing to the petitioner and any other interested parties/stakeholders. No Costs. Consequently, the connected miscellaneous petitions are closed.

03.10.2024

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Index : Yes / No

Internet : Yes/ No

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To

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Nungambakkam, Chennai.

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MOHAMMED SHAFFIQ, J.

lr

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