



W.P.(MD)No.24946 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.10.2024

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.(MD)No.24946 of 2024

and

W.M.P.(MD)Nos.21238 and 21239 of 2024

R.Gurusamy

... Petitioner

Vs.

1.The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
Tenkasi,
Tenkasi District.

2.The Assistant Commissioner/Executive Officer,
Arulmigu Thirucourtalla Nathaswamy Temple,
Courtallam,
Tenkasi Taluk & District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order dated 29.07.2024 passed by the second respondent and quash the same and consequently directing the second respondent to fix the reasonable rent in respect of Survey No.482/20 to the extent of 1144.44 square feet, Five Falls Road, Courtallam, Tenkasi Taluk & District in accordance with law.

For Petitioner : Mr.A.Sankara Ramasubramanian

For R-1 : Mr.K.S.Selva Ganesan
Additional Government Pleader

For R-2 : Mr.S.Manohar



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ORDER

The present Writ Petition is filed challenging the proceedings dated 29.07.2024, calling upon the petitioner to remit total arrears of rent to the sum of Rs.58,06,492/-, pursuant to fair rent being fixed at Rs.29,000/- per month.

2. It is submitted by the learned counsel for the petitioner that neither the petitioner has been served with any proceedings fixing the fair rent nor has the lease been terminated.

3. The learned Additional Government Pleader for respondents 1 to 3 and learned counsel for 4th respondent would submit that it is always open to the petitioner to put forth his objection / response to the impugned proceedings.

4. The learned counsel for the petitioner would submit that as a matter of fact he has also submitted a representation dated 07.08.2024 to the second respondent and that representation may be considered before proceeding further, to which learned counsels for the respondents would agree.



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5. In view thereof, this Court directs the respondents to consider the petitioner's representation dated 07.08.2024 before proceeding further and pass orders within a period of two weeks from the date of receipt of a copy of this order. It is also open to the petitioner to submit an additional representation within a period of two weeks from the date of receipt of a copy of this order. If such representation is submitted, the same shall also be considered along with representation dated 07.08.2024 and orders shall be passed within a period of two weeks from the date of receipt of such representation.

6. This Writ Petition is disposed of on the above terms. However, if no additional representation is filed, order shall be passed, considering the representation dated 07.08.2024 and after hearing the petitioner, within a period of two weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petitions are closed.

22.10.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
Nsr



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MOHAMMED SHAFFIQ, J.

Nsr

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