



W.P.No.7441 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 04.03.2025

CORAM:

THE HONOURABLE MR. JUSTICE **D.BHARATHA CHAKRAVARTHY**

W.P.No.7441 of 2025

L.N.SARAVANAN

... Petitioner

Vs

1. THE PRINCIPAL SECRETARY/COMMISSIONER,
O/O. THE TAMIL NADU HINDU RELIGIOUS AND CHARITABLE
ENDOWMENT DEPARTMENT,
NO.119, UTTHAMAR GANDHI SALAI,
NUMGAMBAKKAM, CHENNAI- 600 034.
2. THE JOINT COMMISSIONER,
O/O.THE TAMIL NADU HINDU RELIGIOUS AND CHARITABLE
ENDOWMENT DEPARTMENT,
NO.119, UTTHAMAR GANDHI SALAI,
NUNGAMBAKKAM, CHENNAI- 600 034.
3. THE EXECUTIVE OFFICER,
ARULMIGU CHENNA MALLESWARAR,
CHENNA KESAVA PERUMAL DEVASTHANAM,
NO.85, DEVARAJA MUDHALI STREET,
CHENNAI- 600 003.
4. THE HERIDITORY DHARMAKARTHA,
ARULMIGU CHENNA MALLESWARAR,
CHENNA KESAVA PERUMAL DEVASTHANAM,
NO.85, DEVARAJA MUDHALI STREET,
CHENNAI- 600 003.

... Respondents



W.P.No.7441 of 2025

Prayer: Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Mandamus, directing the first respondent to pass appropriate orders on the basis of the letter of the fourth respondent dated 24.11.2020 in relation to the public auction of the leasing out of the vacant land admeasuring 6.5 acres situate in Grantline Village, Puzhlal, Ambattur Taluk, Thiruvallur District, Chennai bearing Survey No.56/5 and 58/3 to the petitioner, or in alternate to refund the amount of Rs.23,00,000 /- (Rupees Twenty Three Lakhs Only) which has been deposited by the petitioner with the third respondent in pursuance to the public auction of the vacant land together with the interest at the rate of 18% per annum.

For Petitioner	: Mr.K.Rangesh
For R1 & R2	: Mr.S.Ravichandran Additional Government Pleader
For R3 & R4	: Mr.D.R.Sivakumar

ORDER

The writ petition is filed for a mandamus directing the first respondent to pass appropriate orders based on the letter of the fourth respondent dated 24.11.2020 in relation to the public auction for the leasing out of the vacant land admeasuring 6.5 acres situate in Grantline Village, Puzhal, Ambattur Taluk, Thiruvallur District, Chennai, bearing Survey No.56/5 and 58/3 to the petitioner, or, in the alternate to refund the amount of Rs.23,00,000 /-



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2. The grievance expressed by the learned counsel for the petitioner, as contained in the affidavit filed in support of the writ petition is that the respondents invited tenders through a paper publication on 19.09.2020 for lease of the subject matter land. The petitioner was the successful bidder and duly deposited the highest bid amount of Rs.23,00,000/-. By the letter dated 24.11.2020, approval was sought from the first respondent. However, till date, neither has the approval been granted nor the amount refunded. Therefore, the writ petition.

3. When the matter came up for admission, *Mr.S.Ravichandran*, the learned Additional Government Pleader pointing out to the Religious Institutions (Lease of Immovable property) Rules, 1963, specifically pointing out to rules 12, 13 & 14 would submit that normally when a report is sent to the Commissioner, the Commissioner exercises its veto power within 60 days. If no veto power is exercised, then the tendering authority can confirm the lease and execute the lease deed. Therefore, since, in this case, the lease has not been refused and the first respondent has not exercised this veto power within 60 days. It is for the fourth respondent to pass such further or other orders in accordance with law.



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4. In view thereof, this writ petition is disposed of on the following terms:-

(i) The fourth respondent shall take a call and pass an order either granting the lease of the petitioner, or, if it is not permissible in law, refund the amount to the petitioner with such interest as may be applicable.

(ii) The above exercise shall be completed by the fourth respondent within a period of eight weeks from the date of receipt/production of the website uploaded copy of the order without waiting for the certified copy of the order.

(iii) No costs.

04.03.2025

Neutral Citation: Yes/No
nsl

To

1. THE PRINCIPAL SECRETARY/COMMISSIONER,
O/O. THE TAMIL NADU HINDU RELIGIOUS AND CHARITABLE
ENDOWMENT DEPARTMENT,
NO.119, UTTHAMAR GANDHI SALAI,

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2. THE JOINT COMMISSIONER,
O/O.THE TAMIL NADU HINDU RELIGIOUS AND CHARITABLE
ENDOWMENT DEPARTMENT,
NO.119, UTTHAMAR GANDHI SALAI,
NUNGAMBAKKAM, CHENNAI- 600 034.
3. THE EXECUTIVE OFFICER,
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D.BHARATHA CHAKRAVARTHY, J.

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