



W.P.No.8729 of 2025

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:13.03.2025

Coram:

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.8729 of 2025

and

W.M.P.Nos.9778 and 9780 of 2025

C. Jayaraman, (M/66 Yrs)
S/o. Chitti Babu,
No.20/17, V.V. Koil Lane,
Choolai, Chennai-600 112.

.. Petitioner

/versus/

1.The Commissioner,
Tamil Nadu Hindu Religious &
Charitable Endowments Department,
Uttamar Gandhi Salai,
Nungambakkam, Chennai-600 034.

2.The Joint Commissioner-I,
Tamil Nadu Hindu Religious & Charitable
Endowments Department,
EVK Sampath Buildings, 7th Floor,
DPI Campus, College Road, Chennai-600 006.

3.The Executive Officer,A/m, Srinivasaperumal Temple,
No.18, Vadiyar Kandpan Street,
Choolai, Chennai 600 112.

.. Respondents



W.P.No.8729 of 2025

WEB COPY

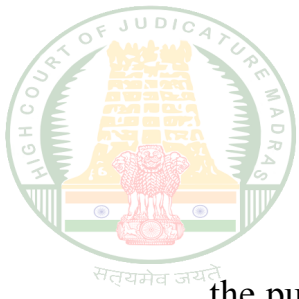
Writ Petition has been filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, calling for the records, relating to the Tender Notification, dated 24.02.2025 issued by the 3rd respondent, in respect of the Commercial Lease of the property at Door No.5, 6, Maddox Street, Choolai, Chennai 600 112, belonging to the 3rd respondent temple and quash the same.

For Petitioner :Mr.G.Sumitra

For Respondents :Mr.N.R.R.Arun Natarajan,
Spl.G.P.(HR and CE) for R1 to R3
ORDER

This writ petition is filed challenging the impugned order dated 24.02.2025.

2.The grievance of the petitioner is that there is a scheme that is framed for the temple. As per the scheme, without appointing the trustees, now the Executive Officer, who is managing the temple properties, have proposed the impugned auction. According to the learned counsel for the petitioner, the structure affects the aesthetics of the temple and the structure itself should be demolished and the place should be kept as a vacant land for



W.P.No.8729 of 2025

WEB COPY

the purpose of the temple. The Executive Officer has not even taken care of to the mutated revenue records etc., in favour of the temple. They are indiscriminately trying to commercialize the temple and its properties. The same will go directly against the dictum laid down in several Division Bench judgments of this Court that the temple property should be properly administered in the best interest of the temple.

3. Per contra, the learned Special Government Pleader would submit that in this case, a detailed proposal was submitted before the Commissioner for leasing out the said premises. The Commissioner has considered everything and passed the detailed order on 14.06.2017 itself. The same is now put into practice by leasing out the property by way of public auction, so that, it will earn income of more than Rs.1,34,370/- and the same is now sought to be stalled. Even the amount is fixed only by the committee, after taking into consideration, of all aspects.

4. I have considered the rival submissions made on either side and perused the material records of the case.

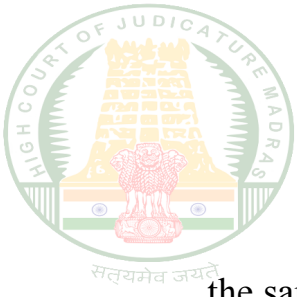


W.P.No.8729 of 2025

WEB COPY

5. Firstly, the impugned order only calls for tender/public auction for leasing out the temple's property. It is meant to augment the temple's income. The question is to be determined that whether the decision of the Commissioner as well as the Executive Officer to lease it out is proper or not. The learned counsel would submit that the superstructure brings down the aesthetics of temple and it is within the premises of the temple.

6. I am unable to agree with the same because the following reasons. The order passed by the Commissioner on 14.06.2017 reveals that this extent of the land has been leased out to tenants from the year 1948 onwards. When the temple filed suit for eviction in O.S.No.1643 of 1992, the tenant had filed an application under Section 9 of the Chennai City Tenants Protection Act, 1921 and the said application was allowed in his favour on 13.07.1993. Thereafter, the temple filed appeal suit which was allowed. The second appeal preferred by the tenant was also dismissed, consequently, possession was taken in E.P.No.3341 of 1993. Thereafter, the present superstructure, which has the skeleton alone is built and it is lying there in



W.P.No.8729 of 2025

WEB COPY

the same stage. Now the said property sought to be leased out to prospective tenants in an open and transparent manner and whoever it will be the highest bidder will become the tenant and that will augment income to the temple. Therefore, this is neither a part of the temple nor the land was traditionally used for any temple purposes. In the absence of the same, when the Commissioner, after making a statutory exercise of power, has decided that the land can be leased out for augmenting income to the temple, I do not see any error whatsoever in the impugned order.

7. Therefore, I do not see any error whatsoever in the impugned order and finding no merits, this Writ Petition stands dismissed. Consequently, connected Miscellaneous Petitions are closed. No costs.

13.03.2025

Neutral citation: no
ari



W.P.No.8729 of 2025

WEB COPY

To:

1.The Commissioner, Tamil Nadu Hindu Religious & Charitable Endowments Department, Uttamar Gandhi Salai, Nungambakkam, Chennai-600 034.

2.The Joint Commissioner-I, Tamil Nadu Hindu Religious & Charitable Endowments Department, EVK Sampath Buildings, 7th Floor, DPI Campus, College Road, Chennai-600 006.

3.The Executive Officer, A/m, Srinivasaperumal Temple, No.18, Vadiyar Kandpan Street, Choolai, Chennai 600 112.



WEB COPY



W.P.No.8729 of 2025

D.BHARATHA CHAKRAVARTHY,J.

ari

W.P.No.8729 of 2025

and

W.M.P.Nos.9778 and 9780 of 2025

13.03.2025