



W.P.Nos.13937 and 14037 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED 04.09.2025

CORAM

THE HONOURABLE Mr.JUSTICE **M.DHANDAPANI**

W.P.Nos.13937 and 14037 of 2019 and
W.M.P.Nos.13995 and 14317 of 2019

V.P.Seetharaman ...Petitioner in W.P.No.13937 of 2019

V.P.Janakiraman ...Petitioner in W.P.No.14037 of 2019

Versus

1. The Commissioner,

The Hindu Religious & Charitable Endowment Board,
Nungambakkam, Chennai – 600 034

2. The Assistant Commissioner,

The Hindu Religious & Charitable Endowment Board,
Cuddalore, Cuddalore District

3. The Executive Officer (HR&CE)

Arulmigu Vettai Venkatarayan Perumal Koil,
Melpattambakkam, Panruti Taluk,
Cuddalore District

... Respondents in both the petitions

Prayer in W.P.No.13937 of 2019 : Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus to call for the records particularly the 3rd respondent's impugned letter dated 26.03.2019 and quash the same, consequently confirm the existing tenancy for the lease properties, situated at Melpattambakkam Village, Panruti taluk, cuddalore district comprised in



W.P.Nos.13937 and 14037 of 2019

Punja Re-Survey No.377-Acre 2.37 cents, R.S.No.379/1-0.70 cents and R.S.No.379/2 – 0.25 cents, in all totalling to an extent of Acre 3.32 cents by considering the petitioner's representation dated 01.04.2019

Prayer in W.P.No.13937 of 2019 : Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus to call for the records particularly the 3rd respondent's impugned letter dated 11.04.2019 and quash the same, consequently directing the 3rd respondent to confirm the payment of the lease amount so far paid by the petitioner upto the year of 231 of the agricultural lands, situated at Melpattambakkam village, panruti taluk, cuddalore district, comprised in Nanjai Re-Survey No.406-Acre 1.10 cents, R.S.No.404-1.18 cents and R.S.No.409 – 1.08 cents, in all totalling to an extent of Acre 3.36 cents by considering the petitioner's representation dated 15.04.2019

For Petitioners : Mr.R.Thanjan

For Respondents : Mr.K.Karthikeyan
Government Advocate (HR & CE)

COMMON ORDER

Since the petitioners are brothers and they are sons of one Mangala Lakshmi, who was the Head of Board of Trustees and the issue involved in these writ petitions are interlinked, they are taken up together and a common order is being passed.

2. The case of the petitioner in W.P.No.13939 of 2019 is that



W.P.Nos.13937 and 14037 of 2019

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the petitioner is a tenant in respect of agricultural lands, situated at Melpattambakkam Village, Panruti Taluk, Cuddalore District comprised in Punja Re-surey No.377- Acre 2.37 cents, R.S.No.379/1 – 0.70 cents and R.S.No.379/2-0.25 cents, in totaling to an extent of Acre 3.32 cents right from the year 1993 and subsequent confirmation made by the revenue court vide proceedings dated 30.06.2003, the petitioner paid the lease amounts as prescribed by the respondents upto the year 2031 in advance and there is no default in payment of rent. Since the respondents 2 and 3 are particularly disturbing the petitioner, he approached the civil court in O.S.No.156 of 2015 for permanent injunction and the same is pending. Further, the 3rd respondent, by suppressing entire material facts without following due process of law has sent a letter dated 26.03.2019 to the petitioner indicating that the subject property is under the control of fit person and not under the petitioner, hence the petitioner has come up with the present petition.

3. The case of the petitioner in W.P.No.14037 of 2019 is that the petitioner is a tenant in respect of agricultural lands, situated at Melpattambakkam Village, Panruti Taluk, Cuddalore District comprised in Nanja Re-surey No.406- Acre 1.10 cents, R.S.No.404 – 1.18 cents and



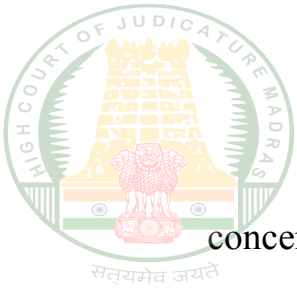
W.P.Nos.13937 and 14037 of 2019

R.S.No.409-1.08 cents, in totaling to an extent of Acre 3.36 cents right from the year 1993 and subsequent confirmation made by the revenue court vide proceedings dated 30.06.2003, the petitioner paid the lease amounts, as prescribed by the respondents upto the year 2031 in advance and there is no default in payment of rent. Since the respondents 2 and 3 are particularly disturbing the petitioner, he approached the civil court in O.S.No.158 of 2015 for permanent injunction and the same is pending. Further, without verifying the temple records, the 3rd respondent issued a demand notice dated 11.04.2019 claiming Rs.7,49,697/- as lease amount, hence the present writ petition.

4. Heard the learned counsel on either side and perused the documents placed on record.

5. It is the contention of the learned counsel appearing for the petitioner that as far as W.P.No.14037 of 2019 is concerned, the said writ petition has been filed challenging the demand notice dated 11.04.2019 demanding a sum of Rs.7,49,697/- as balance for the lease amount, however, the lease amount has been already been paid up to the year 2031, therefore, pleaded to dismiss the petition.

6. As far as the petitioner in W.P.No.13937 of 2019 is



W.P.Nos.13937 and 14037 of 2019

concerned, the petitioner's mother, namely, Mangalalakshi, while she was

Chairman, Board of Trustee in the respondent-temple, she had executed lease deed with respect to temple land in favour of her son, namely V.P.Seetharaman. Further, the said V.P.Seetharaman, was also served as President of the Trust Board Member, subsequent to his mother and after expiry of the said period, the petitioner submitted a representation seeking for a lease of the temple land and the said request was rightly rejected by an order dated 26.03.2018, which is under challenge.

7. While the petitioner's (W.P.No.13937 of 2019) mother was serving as Chairman of the Trust Board Members, at that time, there was execution of sale deed in favour of her son and after such execution, the petitioner has not paid the lease amount, thereby impugned order is passed, though the petitioner claim that the lease amount has been paid upto the year 2031, when the lands itself is in question before this Court, even the payment of the amount will not set right the wrong committed by the mother of the petitioner.

Considering the above said facts and circumstances of the case



W.P.Nos.13937 and 14037 of 2019

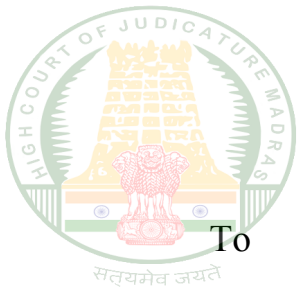
and the submissions made on either side, this Court is inclined to pass the following orders. Consequently, connected miscellaneous petitions are closed. No costs.

(i) W.P.No.14037 of 2019 is dismissed as infructuous, however, if any amount is not paid contrary to the statement made by the learned counsel appearing for the petitioner before this Court, liberty is hereby granted to the respondents to evict the petitioner forthwith.

(ii) W.P.No.13937 of 2019 is concerned, since the period is already over, unless the petitioner is selected, by the Trust Board Member, the petitioner is not entitled to file a writ petition, challenging the impugned order and hence the writ petition is dismissed.

04.09.2025

Index:Yes/No;
Internet:Yes/No
Speaking /Non speaking Judgment
ssd



W.P.Nos.13937 and 14037 of 2019

To

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1. THE PRINCIPAL SECRETARY

PUBLIC WORK DEPARTMENT, GEORGE FORT,
CHENNAI-600 009

2. THE CHIEF ENGINEER (PWD)

CHIEF ENGINEER OFFICER, CHEPAUK, CHENNAI-5.

3. THE COMMISSIONER

BACKWARD CLASS/MOST BACKWARD CLASS, WELFARE
OFFICER, GEORGE FORT, CHENNAI.

4. THE DISTRICT COLLECTOR

DHARMAPURI DISTRICT.

5. THE CHIEF ENGINEER (PWD)

COIMBATORE CIRCLE, COIMBATORE.

6. THE SUPERINTENDENT ENGINEER (PWD)

PUBLIC WORKS DEPARTMENT BUILDING, (CONSTRUCTIONS
AND MAINTENANCE) CIRCLE, SALEM.

7. THE EXECUTIVE ENGINEER (PWD)

PUBLIC WORK DEPARTMENT BUILDINGS (CONSTRUCTIONS
AND MAINTENANCE) DIVISION, DHARMAPURI.

8. THE ASSISTANT ENGINEER (PWD)

PUBLIC WORK DEPARTMENT BUILDINGS (CONSTRUCTIONS
AND MAINTENANCE) DIVISION, DHARMAPURI.

M.DHANDAPANI, J.,

ssd



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W.P.Nos.13937 and 14037 of 2019

W.P.Nos.13937 and 14037 of 2019

04.09.2025