



W.P.No.12997 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Dated: 08.04.2025

Coram:

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.12997 of 2025

E.M.Krishnan, M/53 YEARS
s/o. Munusamygounder,
No.1 /20-1, Maniyakaran Kottai,
Jertalav Village,
Palacode, Dharmapuri District.

.. Petitioner

/versus/

1. The Commissioner,
Hindu Religious and Charitable Endowments,
Nungambakkam,
Chennai.

2. The Joint Commissioner,
Hindu Religious and Charitable Endowments,
Zonal Office, Salem District.

3. The District Collector,
Dharmapuri District.

4. The Tashildar,
Palacode Taluk,
Dharmapuri District.

5. The Assistant Commissioner,
Hindu Religious and Charitable Endowments,
Dharmapuri District.



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6. The Executive Officer,
Hindu Religious and Charitable Endowments,
Palacode Taluk,
Dharmapuri District.

.. Respondents

Writ Petition has been filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents to consider the application dated 20.12.2024 and 22.12.2024 to transfer the tenancy right in the name of the petitioner and also restraining the respondents from dispossessing the petitioner from the temple lands in survey No.485/1, 485/3 and 508 situated at Jertalav Village, Palacode Taluk, Dharmapuri District.

For Petitioner : Mr.Krishnasamy Chinnasamy.
For Respondent : Mr.K.Karthikeyan,
Government Advocate, R1, R2, R5 & R6.
: Mr.R.Murthi,
Government Advocate, for R3 & R4

ORDER

The writ petition is filed with a direction to the respondents to consider the application of the petitioner dated 20.12.2024 and 22.12.2024 to transfer the tenancy rights in the name of the petitioner.



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2. Upon hearing the Learned Counsel for the petitioner and perusing

the affidavit filed in support of the writ petition and the representation, it can be seen that the petitioner's father Thiru.A.Munusamy was originally the cultivating tenant in respect of the property. It is stated that he passed away as early as in the year 1997 and thereafter, it is only the petitioner who is being cultivating the land but however, the tendency is not recorded in his name. The petitioner is duly paying the rent etc., to the Temple.

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

(i) The petitioner's representation dated 20.12.2024 shall be taken up for enquiry by the 5th respondent. The 5th respondent shall also issue notice to the petitioner, if necessary the 5th respondent can also issue notice to the other legal heirs of the said Thiru.A.Munusamy Gounder also. If any document with reference to death certificate or legal heirship certificate is required, the 5th respondent can also require the petitioner to produce. Thereafter, the 5th respondent shall conduct an enquiry and pass orders in accordance with law.



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(ii) The said exercise shall be completed within a period of 12 weeks from the date of receipt of the web copy of the order without waiting for the certified copy of the order.

There shall be no order as to costs.

08.04.2025

Neutral citation:No.

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To,

1. The Commissioner,
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Chennai.

2. The Joint Commissioner,
Hindu Religious and Charitable Endowments,
Zonal Office, Salem District.

3. The District Collector,
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4. The Tashildar,
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5. The Assistant Commissioner,
Hindu Religious and Charitable Endowments,
Dharmapuri District.

6. The Executive Officer,
Hindu Religious and Charitable Endowments,
Palacode Taluk,
Dharmapuri District.

7. The Government Pleader, High Court, Madras.



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D.BHARATHA CHAKRAVARTHY,J.

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