



W.P.No.13887 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 17.04.2025

CORAM:

THE HONOURABLE MR. JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.13887 of 2025

and

W.M.P.Nos.15608 & 15609 of 2025

P.Suseema

... Petitioner

Vs.

1.The Joint Commissioner

Hindu Religious and Charitable Endowment Department
Sambandharkulam, Chitharkadu Post
Mayiladuthurai District 609 003.

2.The Deputy Commissioner

Hindu Religious and Charitable Endowment Department
Sambandharkulam, Chitharkadu Post
Mayiladuthurai District 609 003.

3.The Executive Officer

Yoganathaswamy Thirukoil
O/o.Kalyana Ranganathar Thirukoil
Thirunagari Post, Sirkazhi Taluk
Mayiladuthurai District 609 106.

...Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the entire records relating to the impugned order passed by the third respondent in his proceedings No.Nil, dated 06.02.2025 and quash the same.

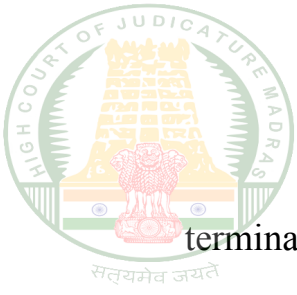
For Petitioner : Mr.C.Prakasam

For Respondents : Mr.N.R.R.Arun Natarajan
Special Government Pleader

ORDER

This Writ Petition is filed call for the records relating to the impugned order dated 06.02.2025 and to quash the same.

2. Mr.C.Prakasam, the learned counsel for the petitioner would submit that the petitioner's father originally entered into the tenancy and the rent was fixed at Rs.24/- per year. Without any proper calculation or serving of any order of enhancement, suddenly now the impugned order is passed as if the petitioner is in arrears of sum of Rs.1,81,566/- and the tenancy is



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terminated. The learned counsel would submit that no such order of proper enhancement was ever served on the petitioner.

3. Per contra, when the matter came up for admission, the learned Special Government Pleader appearing on behalf of the respondents would submit that only lumpsum payments are being made periodically by the petitioner's father and thereafter by the petitioner also. There is sum of Rs.1,81,566/- due. The fair rent was fixed as early as in the year 2018 by an order dated 25.07.2018, and there are arrears. The order dated 25.07.2018 was also served on them and the copy thereof is now furnished to the learned counsel for the petitioner. It is also further submitted that after termination of the tenancy further proceedings are being taken under Section 78 of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959.

4. In view thereof, challenge to the termination of tenancy order dated 06.02.2025 cannot be countenanced. The petitioner is aggrieved of any fixation of the fair rent etc., it would be open for the petitioner to challenge the said orders in the manner known to law with the liberty kept open to the



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petitioner, the prayer in the Writ Petition cannot be countenanced and as such, this Writ Petition is disposed of. The copies of the actual fixation shall also be served to the petitioner. No costs. Consequently, connected Miscellaneous Petitions are closed.

17.04.2025

Neutral Citation : No
dna

To

- 1.The Joint Commissioner
Hindu Religious and Charitable Endowment Department
Sambandharkulam, Chitharkadu Post
Mayiladuthurai District 609 003.
- 2.The Deputy Commissioner
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