



W.P.No.13929 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 21.04.2025

CORAM:

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

W.P.No.13929 of 2025

and

W.M.P.Nos.15676, 15679 & 15680 of 2025

1. VARALAKSHMI
2. VIJAYALAKSHMI ... Petitioners

Vs

1. THE COMMISSIONER,
HINDU RELIGIOUS AND CHARIABLE ENDOWMENT DEPARTMENT,
NO.119,UTHAMAR GANDHI ROAD,
NUNGAMBAKKAM, CHENNAI-600 034.
2. THE JOINT COMMISSIONER,
HINDU RELIGIOUS AND CHARITABLE ENDOWMENT DEPARTMENT,
NO.127, YADAV STREET,
GOPAL NAGAR, PADI,
CHENNAI-600 050.
3. THE EXECUTIVE OFFICER,
ARULMIGU AGASTHEEWARAR SRI PRASANNA
VENKATESA PERUMAL DEVASTHANAM,
NO.11, NORTH MADA STREET,
NUNGAMBAKKAM, CHENNAI-600 034. ... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to impugned proceedings issued by the second respondent vide M.P.No.92/2024/E1 dated 21.11.2024 and quash the same and further direct



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the third respondent to change the name transfer in respect of property premises measuring an extent of 968 sq.ft situated at No.23, Chokkattan Salai, Nungambakkam, Chennai-600 034 upon consideration of the petitioner representation dated 21.10.2024.

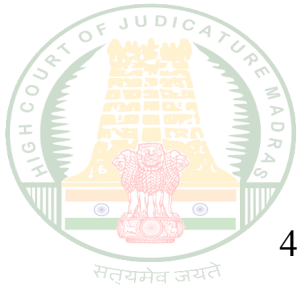
For Petitioner : Mr.S.Arivazhagan
For R1 to R3 : Mr.K.Karthikeyan
Government Advocate

ORDER

This writ petition is filed challenging the proceedings dated 21.11.2024.

2. Upon hearing the learned counsel appearing for the petitioner and the learned Government Advocate appearing on behalf of the respondents 1 to 3, it is seen that the said proceedings are in the nature of a show cause notice issued under Section 78(1) of the Tamil Nadu Hindu Religious and Charitable Endowment Act, 1959.

3. The grievance of the petitioners is that the petitioner's father-in-law was the original tenant and the petitioners and their family members have inherited the leasehold rights. They are also willing to pay the entire arrears of rent.



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4. Be that as it may, the same shall be raised by way of an explanation to the show cause notice under Section 78(1) of the Tamil Nadu Hindu Religious and Charitable Endowment Act, 1959. It will be open to the Joint Commissioner to consider the same.

5. The petitioners are continuing in the said premises only as tenants and if the temple wants to regularize the tenancy by recovering all the arrears, the same can also be considered while considering the explanation submitted under Section 78(1) of the Act.

6. In view thereof, keeping open the rights of the petitioners to raise all the grounds before the second respondent by way of a reply and recording the submission, the matter is posted for enquiry on 22.04.2025, the writ petition is disposed of. Consequently, connected miscellaneous petition is closed. No costs.

21.04.2025

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Neutral Citation: Yes/No
nsl



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To

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2. THE JOINT COMMISSIONER,
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D.BHARATHA CHAKRAVARTHY, J.

nsi

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