



W.P.No.14592 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED :24.04.2025

CORAM

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Writ Petition No.14592 of 2025
& W.M.P.Nos.16478 & 16485 of 2025

D.R.Ashok Kumar, M/A 50,
S/o.Ranganathan,
Old No.36, New No 14,
North Mada Street,
Nungambakkam,
Chennai 600 034.

... Petitioner

/versus/

1. The Commissioner,
Hindu Religious and Charitable Endowment Department,
No.119, Uthamar Gandhi Salai,
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,
A/m.Agastheeswarar Sri Prasanna Venkatesa Perumal Devasthanam,
No. 11,North Mada Street,
Nungambakkam,
Chennai-600 034.

... Respondents

Writ Petition has been filed under Article 226 of the Constitution of India
praying to issue a Writ of Certiorarified Mandamus, to call for records



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pertaining to impugned proceedings issued by the 2nd respondent vide M.P.No.99/2024/E1, dated 21.11.2024 and quash the same and further directing the Respondents 1 to 3 to receive the entire arrears of rent and regularize the petitioner's tenancy in respect of commercial building measuring to extend 150 sq.ft situated at No.40/5, North Mada Street, Nugambakkam, Chennai - 600 034 upon consideration of the petitioner representation dated 28.03.2025.

For Petitioner : Mr.S.Arivazhagan
For Respondents : Mr.K.Karthikeyan,
Government Advocate (HR&CE), for R1 to R3

ORDER

The writ petition is filed with a prayer to quash the proceedings dated 21.11.2024.

2. The grievance of the petitioner is that the petitioner is a tenant and now the petitioner is willing to clear all the arrears and regularise the tenancy.

3. On a perusal of the impugned proceedings, it can be seen that it is only a notice that is issued for appearance of the petitioner in M.P.No.99/2024/E1, which is the proceedings that is taken under Section 78 of



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the Hindu Religious and Charitable Endowments Act, 1959. If the petitioner

wants to pay the arrears and regularise the tenancy, it is open for the petitioner to take the same before the very same Joint Commissioner and it would be up to the Temple and the authorities to accept the same or not in accordance to their own procedure and Rules.

4. Since the writ petition is only challenging the hearing notice that is issued, the same cannot be entertained.

5. Therefore, keeping open the liberty of the petitioner to take all the defences under Section 78 of Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959, in the proceedings, this writ petition stands disposed of. Consequently, connected Miscellaneous Petitions are closed. There shall be no order as to costs.

24.04.2025

Neutral citation :No.

bsm

To,

1.The Commissioner,

Hindu Religious and Charitable Endowment Department,

No.119, Uthamar Gandhi Salai,

Nungambakkam, Chennai 600 034.



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2. The Joint commissioner,
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4. The Government Pleader, High Court, Madras.



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D.BHARATHA CHAKRAVARTHY, J.

bsm

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