



Cont. P. No.2602 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.09.2025

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THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

Contempt Petition No.2602 of 2025

M.Thiyagarajan

.. Petitioner

Vs.

Sivakumar
Executive Officer
Sri Muthukumaraswamy Devasthanam
No.44, Rasappa Chetty Street
Chennai 600 003

.. Respondent

Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971, to punish the respondent for his willful and disobedience for non compliance of the order in W.P.No.19223 of 2023 dated 28.06.2025 passed by this Court.

For petitioner : Mr.C.Samivel

For respondents : Mr.R.Bharanidharan
Standing Counsel

ORDER

Pursuant to the earlier order passed on 12.09.2025, an affidavit has been filed by the respondent and the relevant portions are extracted hereunder :

“9. Thereafter, the contempt petition was listed on 12.9.2025 before this Hon'ble Court, wherein this respondent was directed to file



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the details in the form of an affidavit. This respondent states that since the earlier proceedings of fixation of lease rent from 1.7.2016 was found to be fault by the Commissioner, HR & CE Department by order dated 7.9.2020, wherein the main issue was that the temple administration cannot fix the lease rent retrospectively w.e.f 1.7.2016 by order dated 25.4.2018, the respondent has not issued communication dated 10.9.2025 communicating all the calculations fixing lease rent at the rate of Rs.3740/- per month from 1.7.2019 and Rs.4200/- from 1.7.2022. This respondent also enclosed the calculation for the arrears of lease rent as per the fixation from 1.7.2019 to 30.6.2022 and 1.7.2022 to 30.9.2025.

Total rent arrear amount	Rs.3,34,530/-
Amount paid by the petitioner	Rs.1,31,640/-
Rental arrears	Rs.2,02,890/-

10. This respondent hereby submits that the petitioner has paid an amount of Rs.1,31,640 and the balance of Rs.2,02,890/- (Two Lakhs Two Thousand Eight Ninety) remains unpaid till date. This respondent further states that the petitioner was served with notice dated 25.4.2018 about fixation of lease rent and the same has been set aside at the instance of the petitioner. In the said circumstances, though the temple administration cannot fix the lease rent retrospectively, since the process has been commenced in the year 2018 and the petitioner has knowledge about the re-fixation of lease rent as early as on 25.4.2018, the temple administration is justified to fix the lease rent with effect from 1.7.2019 and accordingly communicated to the petitioner on 10.9.2025 which was received by the petitioner on 11.9.2025.”

2. The learned counsel for the petitioner once again objected to the fixation of rent on the ground that it is not in line with the earlier order passed by the Commissioner. That apart, the petitioner had paid excess rent and therefore, the fixation of the fair rent itself is illegal.



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3. In the considered view of this Court, the respondent has now calculated the arrears of lease rent payable from 01.07.2019 onwards. This is in view of the fact that the process of fixation commenced in the year 2018.

4. If the petitioner has any grievance, it is left open to him to challenge the same in the manner known to law. The dispute that has now been raised by the petitioner cannot be gone into this contempt petition.

Granting the above liberty to the petitioner, this Contempt Petition is closed.

22.09.2025

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Index : Yes/No

Neutral Citation : Yes/No



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