



W.P.No.37730 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED : 04.02.2025

CORAM:

THE HONOURABLE MR. JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.37730 of 2024

Ashok Chakravarthi

... Petitioner

Vs.

1.The Commissioner
HR & CE Dept
Nungambakkam
Chennai 600 034.

2.The Joint Commissioner
HR & CE Dept
Chennai.

3.The Assistant Commissioner
HR & CE
Chennai.

4.The Executive Officer
Arulmigu Gangadeeswarar Kovil Street
Purasaiwakkam
Chennai 84.

....Respondents



W.P.No.37730 of 2024

WEB COPY **Prayer :** Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 4 to constitute the fair rent fixation committee as per Section 34A of the HR & CE Act and fix the fair rent in accordance with the said provision after giving opportunities to the petitioner by considering the representation dated 08.11.2024 and grant such other relief deem fit and proper under the circumstances of the case.

For Petitioner : Mr.R.Rajarajan

For Respondents : Mr.N.R.R.Arun Natarajan
Special Government Pleader
for R1 to R4 (HR & CE)

ORDER

The prayer in the Writ Petition is to issue a Writ of mandamus directing the respondents to constitute a Fair Rent Fixation Committee as per Section 34A of the Hindu Religious & Charitable Endowments Act in accordance with the said provision after giving opportunities to the petitioner by considering the representation dated 08.11.2024.



W.P.No.37730 of 2024

WEB COPY

2. When the matter came up for hearing, the learned Special Government Pleader made two submissions. One, already by constituting a Committee, the fair rent has been fixed on 09.03.2017. The said order is also produced before this Court. Secondly, since the order has not been complied with, already proceedings under Section 78 of the *Hindu Religious & Charitable Endowments Act* has been initiated and revision has been filed by the petitioner.

3. The proceedings under Section 78 of the *Hindu Religious & Charitable Endowments Act* has been initiated and orders have been passed and the petitioner has already filed a revision challenging the same. At this stage for the aforementioned two reasons, the prayer now prayed for cannot be granted and as such the Writ Petition stands disposed of. However, the learned counsel at this stage prays for liberty to challenge the order of the fair rent that is passed on 09.03.2017. This Court need not expressly give such liberty as that liberty is always with the petitioner.



W.P.No.37730 of 2024

WEB COPY

4. With the above observation, this Writ Petition is disposed of.

No costs.

04.02.2025

Neutral Citation : No
dna

To

- 1.The Commissioner
HR & CE Dept
Nungambakkam
Chennai 600 034.
- 2.The Joint Commissioner
HR & CE Dept
Chennai.
- 3.The Assistant Commissioner
HR & CE
Chennai.
- 4.The Executive Officer
Arulmigu Gangadeeswarar Kovil Street
Purasaiwakkam
Chennai 84.



WEB COPY



W.P.No.37730 of 2024

D.BHARATHA CHAKRAVARTHY, J.

dna

W.P.No.37730 of 2024