



WEB COPY



W.P. No.39528 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.10.2025

CORAM:

THE HON'BLE MR. JUSTICE M.DHANDAPANI

W.P. No.39528 of 2025

B. Venkatachalam,

... Petitioner

VS.

1. The Commissioner,
HR & CE Department,
Chennai - 600 034.

2. The Joint Commissioner,
HR & CE Department,
Coimbatore - 641 018.

3. The Asst.Commissioner cum Executive Officer,
Arulmighu Patteeshwaraswamy Tirukovil,
Perur Nagar & Taluk,
Coimbatore - 641 010.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue Writ of Mandamus, directing respondent to consider the petitioner representation dated 27.09.2025 and thereby direct the respondent to extent the petitioner license to perform the "Eemakkiri" (funeral rituals) on the land belongs to 3rd respondent Temple, for a period of 4 Months and pass orders.

For Petitioner : Mr.S. Velmurugan

For Respondents : Mr.N.R.R. Arun Natarajan

Spl.Govt. Pleader (HR&CE)

ORDER



W.P. No.39528 of 2025

Mr.N.R.R. Arun Natarajan, learned Special Government Pleader (HR & CE), takes notice for respondents. By consent of both the parties, this writ petition is taken up for final disposal at the admission stage itself.

2. This writ petition has been filed for issuance of a Writ of Mandamus, seeking a direction to the respondents to consider the petitioner representation dated 27.09.2025 and for consequential directions to the respondents to extend the petitioner's license to perform the "Eemakkiri" (funeral rituals) on the land belongs to 3rd respondent Temple, for a further period of four months, within a time frame to be stipulated by this Court.

3. Short facts leading to the filing of this writ petition are as follows :-

a) Originally, the 1st respondent had issued a licence to the petitioner to perform religious rituals (funeral rituals) on the 3rd respondent temple land for the *Pasali* year 1429, i.e., from 01.07.2019 to 30.06.2020. While so, due to the COVID-19 pandemic, he could not perform any rituals at the said place. Subsequently, after the COVID-19 period, the 1st respondent did not permit him to perform the funeral rituals in the 3rd respondent temple premises.



W.P. No.39528 of 2025

WEB COPY

b) Therefore, he submitted a representation to the respondents on 17.05.2020, requesting extension of the licence period, stating that he could not carry out his functions during the pandemic. Based on the recommendations of the 2nd and 3rd respondents, the 1st respondent passed an order dated 17.09.2020, informing that the licence period was extended for 99 days from 01.09.2020. However, the said order was not implemented by the 3rd respondent.

c) Subsequently, the petitioner filed W.P. No.15426 of 2025 seeking directions to consider the petitioner's earlier representation dated 08.01.2025, seeking extension of license period. During the pendency of the said writ petition, based on the assurance given by the respondents, he withdrew the writ petition. Thereafter, pursuant to orders issued by the 1st respondent on 02.07.2025, the 3rd respondent, by order dated 04.07.2025, permitted him to perform *Eamakkiri* (funeral rituals) in the 3rd respondent temple land for a period of 99 days from 05.07.2025 to the 11.10.2025.

d) According to the petitioner, the respondents directed him to pay additional charges at the rate of Rs.500/- per hall. Having no other way, he paid a sum of Rs.24,75,000/- for 50 halls for the 99-day period, and apart from the



said charges, he paid Rs.1,50,000/- per month towards maintenance expenses.

WEB COPY

e) It is the grievance of the petitioner that he had already paid a sum of Rs.9,58,000/- in the year 2020 for *Pasali* 1429. Hence, he made a representation to the respondents on 27.09.2025, seeking extension of the licence for a further period of four months without insisting on any additional payment. Though the said representation has been received by the respondents, no action has been taken till date. Hence, the petitioner has filed the present writ petition before this Court.

4. Learned counsel for the petitioner submitted that the petitioner had invested a huge amount while obtaining the said bid offer to perform the "Eemakkiri" (funeral rituals) on the land belongs to 3rd respondent Temple during the year 2020. He further submitted that, apart from the said investment, the petitioner had also paid an additional sum of Rs.24,75,000/- towards additional charges and also paid the maintenance charges to a considerable extent. He also submitted that, even though the petitioner was unable to carry out the said activities for a considerable period due to the COVID-19 pandemic, he accepted and paid the additional charges quoted by the respondents.



Further, he argued that the petitioner submitted a detailed representation to the respondents on 27.09.2025, seeking extension of license for a further period of four months without insisting on any additional payment. In view of the above, he submitted that it would suffice if this Court issues a direction to the respondents to consider the petitioner's representation dated 27.09.2025 and pass appropriate orders thereon, within a time frame to be fixed by this Court.

5. Learned Special Government Pleader appearing for the respondents submitted that the lands belonging to Arulmighu Patteshwaraswamy Tirukovil generate substantial revenue. He fairly admitted that due to the lock-down restrictions imposed during the COVID-19 pandemic, the Temple was closed, and the petitioner could not perform any funeral rituals in the said premises. He pointed out that subsequently, by order dated 17.09.2020, the period of licence was extended for another 99 days from 01.09.2020. Thereafter, renovation work was undertaken in the said land, and the premises was made ready for public auction. Consequently, the licence cost was enhanced to Rs.1,000/- per hall, as could be seen from the proceedings of the respondents. In support of his contention, he has produced the instructions letter issued by the 3rd respondent.

6. He further submitted that, considering the petitioner's position as the



previous auctioneer, the 1st respondent decided to permit him a further extension for 99 days on payment of Rs.500/- per hall. The said condition was duly accepted by the petitioner, who accordingly paid a sum of Rs.25,000/- (Rs.500/- x 50 halls), for which a receipt was also issued. Thereafter, the extended period has come to an end and, steps were initiated to conduct a public auction at the revised rate of Rs.1,000/- per hall, and a notification to that effect was issued.

7. He vehemently argued that the petitioner has not paid any amount towards maintenance charges, as falsely claimed by him to the extent of Rs.1,50,000/-. Hence, by making false averments and seeking further extension, the petitioner is attempting to cause revenue loss to the 3rd respondent temple, which is not permissible. In such circumstances, he prays before this Court for dismissal of this writ petition.

8. Admittedly, the petitioner was the successful bidder to perform funeral rituals in the premises of the 3rd respondent temple. Based on the submissions made by the learned Special Government Pleader, it has come to light that, in order to compensate the petitioner for the loss suffered during the COVID-19 pandemic and to extend priority as a previous auctioneer, an extension for a period of 99 days was granted on payment of Rs.500/- per hall. From the



W.P. No.39528 of 2025

materials placed before this Court, it is evident that the petitioner had paid the said charges for 50 halls at the rate of Rs.500/- per hall and receipt was also issued by the respondents to that effect. Though it is the contention of the petitioner that he had paid a huge amount, no documentary proof has been produced before this Court in support of the said claim.

9. Further, it is noted that upon expiry of the extended period granted to the petitioner, the 3rd respondent had decided to conduct a public auction for allotting the temple land. This Court is of the considered view that the petitioner cannot claim any right, as the licence granted to him was for a limited tenure, which had already expired. It is also seen that the petitioner had accepted the terms of extension as well as the rate fixed, and hence, he cannot now turn around and contend that the charges stipulated by the 1st respondent are excessive. Accordingly, this Court is not inclined to issue any positive direction as sought for by the petitioner, and the claim made by the petitioner stands rejected.

10. For the reasons aforesaid, this writ petition stands dismissed. No costs.



WEB COPY



W.P. No.39528 of 2025

22.10.2025

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation : Yes/No
vsi2

To

1. The Commissioner,
HR & CE Department,
Chennai - 600 034.

2. The Joint Commissioner,
HR & CE Department,
Coimbatore - 641 018.

3. The Asst. Commissioner cum Executive Officer,
Arulmighu Patteeshwaraswamy Tirukovil,
Perur Nagar & Taluk,
Coimbatore - 641 010.

M. DHANDAPANI, J.

vsi2



WEB COPY



W.P. No.39528 of 2025

W.P. No.39528 of 2025

22.10.2025