



W.P.No.43112 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.11.2025

CORAM

THE HONOURABLE Mr.JUSTICE P.B. BALAJI

W.P.No.43112 of 2025

and W.M.P.Nos.48265 and 48268 of 2025

1. R.Usha Bai
2. R.Vinoth Kumar

...Petitioners

Vs

1. The Commissioner,
H.R and C.E Department,
Nungambakkam High Road,
Chennai 600 034.

2. The Executive Officer,
A/m.Angalaparameswari and Kasi
Viswanathaswamy Temple,
Choolai, Chennai 600 112

...Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the first respondent to dispose the representation dated 15.09.2025 for compromise the case relating to E.P.No.1420 of 2013 within time frame as fixed by this Court.

For Petitioner :Mr.G.Sugumaran

for Mr.P.Prabu

For Respondent: Mr.K.Karthikeiyan

Government Advocate

ORDER

The Writ Petition is filed to direct the first respondent to dispose of the representation dated 15.09.2025 relating to E.P.No.1420 of 2013 within a time frame to be fixed by this Court.

2. Heard Mr.G.Sugumaran, learned Counsel appearing on behalf of Mr.P.Prabu, learned counsel for the petitioners and Mr.K.Karthikeiyan, learned Government Advocate for respondents.



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3. The grievance of the petitioners is that they suffered an eviction order before the Civil Court and the execution petition is pending. Pending the execution petition, the 2nd petitioner's father died. Therefore, the 2nd petitioner has approached the respondents on 15.09.2025 offering to pay the arrears of rent and to regularize the tenancy of the petitioners.

4. The learned Government Advocate appearing for the respondent would submit that the petitioners are in arrears of Rs.29,54,000/- as on date.

5. The learned counsel for the petitioners submits that the admitted land rent is Rs.4,155 /- per month and at the rate, the arrears amount would be Rs.3,40,000/- as on date. He would further contend



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that no fair rent has been fixed after issuing notice to the petitioners. He also submits that even the instructions furnished to the learned Government Advocate do not substantiate how the arrears amount of Rs.29,54,000/- has been arrived at.

6. In the light of the above, without in any manner affecting the pending execution petition, I am inclined to direct the petitioners to pay a sum of Rs.5,00,000/- (Rupees five lakhs only) as an interim payment towards arrears of rent to the respondents, within a period of four weeks from the date of receipt of a copy of this order. Subject to such payment, 1st respondent is directed to afford a personal hearing to the petitioners and dispose of the representation dated 15.09.2025 within a four weeks thereafter. At the hearing, if no settlement or compromise is reached, it is open to the respondents to proceed with the execution petition. Until such time, the execution proceedings shall



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stand deferred.

7. With the above directions, the writ petition is disposed of.

No costs. Consequently, connected miscellaneous petitions are closed.

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Index : Yes/No

Speaking Order : Yes / No

srn

To

1. The Commissioner,
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P.B. BALAJI, J,

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