



W.P.(MD)No.33648 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.12.2025

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THE HONOURABLE **Mr. JUSTICE KRISHNAN RAMASAMY**

W.P.(MD)No.33648 of 2025 &
W.M.P(MD)Nos.26556 & 26557 of 2025

V.Nagakumari

...Petitioner

vs.

1.The Commissioner,
Hindu Religious and Charitable Endowment,
Nungampakkam, Chennai.

2. The Joint Commissioner,
Hindu Religious and Charitable Endowment,
Palayamkottai,
Tirunelveli.

3.The Assistant Commissioner,
Hindu Religious and Charitable Endowment,
Arulmigu Nellaiapper Arultharum Gandhimathiamman
Thirukovil,
Tirunelveli Town.

4. The Executive Officer,
Hindu Religious and Charitable Endowment,
Arulmigu Nellaiapper Arultharum Gandhimathiamman
Thirukovil,
Tirunelveli Town.

...Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Certiorari calling for the records pertaining to the eviction notice issue vide Na.Ka.No.125/2025/A4, dated 06.11.2025, and consequential tender notice published vide Thinamani, dated 12.11.2025,



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issued by the 4th respondent and quash the same.

For Petitioner : Mr.T.Selvan

For Respondent : Mr.K.Balasubramani,
Special Government Pleader
for R1 to R3

Mr.S.Madhavan for R4

ORDER

The Writ Petition has been filed challenging the eviction notice issued by the fourth respondent in Na.Ka.No.125/2025/A4, dated 06.11.2025, and the consequential tender notice published in Thinamani, dated 12.11.2025.

2. The learned counsel for the petitioner would submit that the tender notice dated 12.11.2025 is issued by the fourth respondent with a condition that the tenderer should pay the five years rent in advance. However, he would submit that the said condition is contrary to the Circular dated 22.12.2022 issued by the Commissioner, Hindu Religious and Charitable Endowment Department. By saying so, he is restricting the prayer to the challenge made to the tender notice alone.

3. The learned Special Government Pleader appearing for the respondents 1 to 3 would submit that the petitioner has participated in the



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tender subject to the terms and conditions in the tender notice and he is a successful tenderer. The petitioner has also paid one year rent in advance. Therefore, at this juncture, the petitioner cannot challenge the conditions imposed in the tender notice.

4. I have given due consideration to the submissions made on either side.

5. On perusal of the Circular dated 22.12.2022 issued by the Commissioner, Hindu Religious and Charitable Endowment Department, it is seen that the conditions therein were imposed with an intention to protect the interest of the Temple. One such condition is that the rent should be increased by 5% each year and the entire rent for that year must be paid in advance. In the present case, the terms and conditions of the tender notice is that the entire rent for five years must be paid in advance. According to the petitioner, the above condition is contrary to the Circular dated 22.12.2022.

6. The issue is whether the Circular dated 22.12.2022 is a bar for imposing new terms and conditions by the Authorities, who conduct the tender. As far as the terms and conditions of the tender are as per the provisions of law and for the benefit of Temple, the same cannot be said to



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be violation of the conditions stated in the Circular. Had the condition imposed in the tender is fixing six months rent in advance, then the same would be in violation of the Circular dated 22.12.2022 and against the interest of the Temple. However, the condition imposed is to pay five years rent in advance, which would benefit the Hindu Religious and Charitable Endowments Department. In such view of the matter, this Court holds that the conditions in the Circular dated 22.12.2022 is not a bar for framing new conditions, which are beneficial than the condition stipulated in the Circular dated 22.12.2022. Furthermore, the petitioner has already participated in the tender and he is also a successful bidder. Such being the case, and since the petitioner has restricted his prayer with regard to the challenge made to the tender notice alone, I do not find any merits in the Writ Petition.

7. In the result, this Writ Petition is dismissed. No costs. Consequently, connected Miscellaneous Petitions are closed.

01.12.2025

Speaking / Non-speaking order
Index : Yes/No
NCC : Yes/No

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KRISHNAN RAMASAMY, J.

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