



W.P.(MD) Nos.35470 to 35477 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.12.2025

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THE HONOURABLE MR. JUSTICE KRISHNAN RAMASAMY

W.P.(MD)Nos.35470 to 35477 of 2025

and

**W.M.P.(MD).Nos.28142, 28143 and 28147, 28156, 28145, 28151,
28146 & 28152 of 2025**

Adaikalanathan ... Petitioner in W.P.(MD).No.35470 of 2025

Yokesh ... Petitioner in W.P.(MD).No.35471 of 2025

Palanivel ... Petitioner in W.P.(MD).No.35472 of 2025\

Mohammed Abbas Oli ... Petitioner in W.P.(MD).No.35473 of 2025

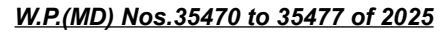
Nagaraj ... Petitioner in W.P.(MD).No.35474 of 2025

Subramanian ... Petitioner in W.P.(MD).No.35475 of 2025

Abbash ... Petitioner in W.P.(MD).No.35476 of 2025

Natarajan ... Petitioner in W.P.(MD).No.35477 of 2025

Vs



- ... Respondents
in all petitions

Common Prayer: Writ Petitions filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to regularize the petitioners' tenancy by fixing fair rent in respect of the property comprised in T.S.No.1015/1, measuring 1110, 25600, 352, 1320, 480, 320, 780 and 3500 Square Feet respectively, situated at Thamburan Thottam, Palani, Dindigul District and thereby, permit them to continue as tenants by considering the petitioners' representation dated 06.12.2025.

In all writ petitions

For Petitioners	: Mr.T.Lenin Kumar
For R-1	: Mr.K.Balasubramani, Special Government Pleader
For R-2	: Mr.R.Murali, Standing Counsel



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COMMON ORDER

These Writ Petitions have been filed seeking a direction to the respondents to regularize the petitioners' tenancy by fixing fair rent in respect of the property comprised in T.S.No.1015/1, measuring 1110, 25600, 352, 1320, 480, 320, 780 and 3500 Square Feet respectively, situated at Thamburan Thottam, Palani, Dindigul District and thereby permit them to continue as tenants by considering the petitioners' representation dated 06.12.2025.

2. Mr.K.Balasubramani, learned Special Government Pleader, takes notice for the first respondent and Mr.K.Murali, learned Standing Counsel takes notice for the second respondent in all the writ petitions.

3. It is the case of the petitioners that they are in continuous and lawful occupation of the property comprised in the above-said survey number, on the basis of a valid lease agreement executed by the then Managing Trustee of Arulmighu Sennimalai Thambiran Trust. Pursuant to the lease of the vacant land, the petitioners constructed superstructures at their own cost and have been running shops therein, regularly paying rent without any default. Thereafter, the second respondent directed the



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petitioners to remit the monthly rent to the Hindu Religious and Charitable Endowments Department, assuring that the petitioners' tenancy would be regularised and that fair rent would be fixed under Section 34-A of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959. Relying upon such assurance, the petitioners have been paying rent to the second respondent from July 2025 onwards, and the said payments have been duly accepted. Subsequently, the second respondent demanded an exorbitant amount towards damages for use and occupation, alleging unauthorised occupation, and threatened to initiate action under Sections 78 and 79-B of the said Act if the said amount was not paid within 15 days. The second respondent, who is only a Fit Person, has no authority to initiate proceedings under Section 78 of the Act. The petitioners, being lawful tenants, cannot be branded as encroachers, nor can any damages be demanded without first fixing the fair rent under Section 34-A of the Act.

4. The learned Special Government Pleader appearing for the first respondent and the learned Standing Counsel appearing for the second respondent submitted that the representation of the petitioners dated 06.12.2025 would be considered in accordance with law.



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5. In view of the above submission, and without expressing any opinion on the merits of the matter, this Court directs the second respondent to consider the petitioners' representation dated 06.12.2025 and pass appropriate orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

6. With the above direction, these Writ Petitions stand disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

11.12.2025

Index : Yes/No

Internet: Yes/No

Neutral Citation: Yes/No

TSG

To

1. The Commissioner,
Hindu Religious and Charitable
Endowments (HR & CE) Department,
No.119, Utthamar Gandhi Salai,
Chennai-600 034.

2. The Fit Person,
Hindu Religious and Charitable
Endowments (HR & CE) Department,
Arulmighu Sennimalai Thambiran Trust,
Palani, Dindigul District.



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KRISHNAN RAMASAMY, J.

TSG

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