



W.P.(MD) Nos.35478 to 35488 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.12.2025

CORAM

THE HONOURABLE MR. JUSTICE KRISHNAN RAMASAMY

W.P.(MD)Nos.35478 to 35488 of 2025

and

**W.M.P.(MD).Nos.28144, 28150, 28154,
28157, 28148, 28155, 28159, 28149, 28158, 28160 & 28153 of 2025**

Rafeed Ahamed	... Petitioner in W.P.(MD).No.35478 of 2025
Jothimani	... Petitioner in W.P.(MD).No.35479 of 2025
Nagoor Meeran	... Petitioner in W.P.(MD).No.35480 of 2025
Abusali	... Petitioner in W.P.(MD).No.35481 of 2025
Dhinakar Singaravel	... Petitioner in W.P.(MD).No.35482 of 2025
Mohamed Ali Jinna	... Petitioner in W.P.(MD).No.35483 of 2025
Mohamed Rabideen	... Petitioner in W.P.(MD).No.35484 of 2025
Gangeshwar	... Petitioner in W.P.(MD).No.35485 of 2025
Padmavathi	... Petitioner in W.P.(MD).No.35486 of 2025
Jebakaniraj	... Petitioner in W.P.(MD).No.35487 of 2025



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... Petitioner in W.P.(MD).No.35488 of 2025

Vs

1. The Commissioner,
Hindu Religious and Charitable
Endowments (HR & CE) Department,
No.119, Uthamar Gandhi Salai,
Chennai-600 034.
2. The Fit Person,
Hindu Religious and Charitable
Endowments (HR & CE) Department,
Arulmighu Sennimalai Thambiran Trust,
Palani, Dindigul District. ... Respondents in all petitions

Prayer in W.P.(MD).No.35478 of 2025 : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned notice issued by the second respondent by his proceedings in Na.Ka.No.8249/2025/C3-6 and Na.Ka.No.8249/2025/C3-7, dated 24.11.2025 and quash the same as illegal, consequently direct the respondents to regularize the petitioner's tenancy by fixing fair rent in respect of the property comprised in T.S.No.1015/1, measuring 2118.5 square feet measuring at Thamburan Thottam, Palani, Dindigul District and thereby permit him to continue as a tenant by considering the petitioner's representation dated 06.12.2025.

Prayer in W.P.(MD).No.35479 of 2025: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned notice



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issued by the second respondent by his proceedings in Na.Ka.No. 8249/2025/C3-1 dated 24.11.2025 and quash the same as illegal, consequently direct the respondents to regularize the petitioner's tenancy by fixing fair rent in respect of the property comprised in T.S.No.1015/1, measuring 440 square feet measuring at Thamburan Thottam, Palani, Dindigul District and thereby permit him to continue as a tenant by considering the petitioner's representation dated 06.12.2025.

Prayer in W.P.(MD).No.35480 of 2025: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned notice issued by the second respondent by his proceedings in Na.Ka.No. 8249/2025/C3-5 dated 24.11.2025 and quash the same as illegal, consequently direct the respondents to regularize the petitioner's tenancy by fixing fair rent in respect of the property comprised in T.S.No.1015/1, measuring 1598 square feet measuring at Thamburan Thottam, Palani, Dindigul District and thereby permit him to continue as a tenant by considering the petitioner's representation dated 06.12.2025.

Prayer in W.P.(MD).No.35481 of 2025: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned notice issued by the second respondent by his proceedings in Na.Ka.No. 8249/2025/C3-8 dated 24.11.2025 and quash the same as illegal, consequently direct the respondents to regularize the petitioner's tenancy by fixing fair rent in respect of the property comprised in T.S.No.1015/1, measuring 250 square feet measuring at Thamburan Thottam, Palani,



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Dindigul District and thereby permit him to continue as a tenant by considering the petitioner's representation dated 06.12.2025.

Prayer in W.P.(MD).No.35482 of 2025: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned notice issued by the second respondent by his proceedings in Na.Ka.No. 8249/2025/C3-10 dated 24.11.2025 and quash the same as illegal, consequently direct the respondents to regularize the petitioner's tenancy by fixing fair rent in respect of the property comprised in T.S.No.1015/1, measuring 943 square feet measuring at Thamburan Thottam, Palani, Dindigul District and thereby permit him to continue as a tenant by considering the petitioner's representation dated 06.12.2025.

Prayer in W.P.(MD).No.35483 of 2025: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned notice issued by the second respondent by his proceedings in Na.Ka.No. 8249/2025/C3-9 dated 24.11.2025 and quash the same as illegal, consequently direct the respondents to regularize the petitioner's tenancy by fixing fair rent in respect of the property comprised in T.S.No.1015/1, measuring 3320 square feet measuring at Thamburan Thottam, Palani, Dindigul District and thereby permit him to continue as a tenant by considering the petitioner's representation dated 06.12.2025.

Prayer in W.P.(MD).No.35484 of 2025: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified



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Mandamus, calling for the records pertaining to the impugned notice issued by the second respondent by his proceedings in Na.Ka.No. 8249/2025/C3-15 dated 24.11.2025 and quash the same as illegal, consequently direct the respondents to regularize the petitioner's tenancy by fixing fair rent in respect of the property comprised in T.S.No.1015/1, measuring 1100 square feet measuring at Thamburan Thottam, Palani, Dindigul District and thereby permit him to continue as a tenant by considering the petitioner's representation dated 06.12.2025.

Prayer in W.P.(MD).No.35485 of 2025: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned notice issued by the second respondent by his proceedings in Na.Ka.No. 8249/2025/C3-19 dated 24.11.2025 and quash the same as illegal, consequently direct the respondents to regularize the petitioner's tenancy by fixing fair rent in respect of the property comprised in T.S.No.1015/1, measuring 1176 square feet measuring at Thamburan Thottam, Palani, Dindigul District and thereby permit him to continue as a tenant by considering the petitioner's representation dated 06.12.2025.

Prayer in W.P.(MD).No.35486 of 2025: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned notice issued by the second respondent by his proceedings in Na.Ka.No. 8249/2025/C3-11 dated 22.09.2025 and quash the same as illegal, consequently direct the respondents to regularize the petitioner's tenancy by fixing fair rent in respect of the property comprised in T.S.No.1015/1,



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measuring 450 square feet measuring at Thamburan Thottam, Palani, Dindigul District and thereby permit him to continue as a tenant by considering the petitioner's representation dated 06.12.2025.

Prayer in W.P.(MD).No.35487 of 2025: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned notice issued by the second respondent by his proceedings in Na.Ka.No. 8249/2025/C3-23 dated 24.11.2025 and quash the same as illegal, consequently direct the respondents to regularize the petitioner's tenancy by fixing fair rent in respect of the property comprised in T.S.No.1015/1, measuring 952 square feet measuring at Thamburan Thottam, Palani, Dindigul District and thereby permit him to continue as a tenant by considering the petitioner's representation dated 06.12.2025.

Prayer in W.P.(MD).No.35488 of 2025: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned notice issued by the second respondent by his proceedings in Na.Ka.No. 8249/2025/C3-16 dated 24.11.2025 and quash the same as illegal, consequently direct the respondents to regularize the petitioner's tenancy by fixing fair rent in respect of the property comprised in T.S.No.1015/1, measuring 1500 square feet measuring at Thamburan Thottam, Palani, Dindigul District and thereby permit him to continue as a tenant by considering the petitioner's representation dated 06.12.2025.



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In all petitions

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For Petitioners	: Mr.T.Leninkumar
For R-1	: Mr.K.Balasubramani, Special Government Pleader
For R-2	: Mr.R.Murali

COMMON ORDER

These Writ Petitions have been filed seeking to quash the impugned notices issued by the second respondent, dated 24.11.2025 and 22.09.2025, and consequently, to direct the respondents to regularize the petitioners' tenancy by fixing fair rent in respect of the property comprised in T.S.No.1015/1, situated at Thamburan Thottam, Palani, Dindigul District, and thereby permit the petitioners 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.R.Murali, learned counsel takes notice for the second respondent.

3. By consent of both parties, the writ petitions are taken up for final disposal at the admission stage itself.



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4. The learned counsel appearing for the petitioners would submit that no fair rent has been fixed in accordance with the statutory procedure prescribed under Section 34-A before issuing the impugned demand notices. It is further submitted that in June 2025, the second respondent directed the petitioners to continue to pay the existing rent and assured them that their tenancy would be regularized after fixation of fair rent. Contrary to the said assurance, the impugned notices have been issued, which is impermissible in law.

5. Per contra, the learned counsel appearing for the second respondent would submit that fair rent has already been fixed and, therefore, the respondents were constrained to determine and levy damages. He would fairly submit that upon fixation of fair rent, the damages paid by the petitioners shall be adjusted towards the fair rent, and if any excess amount has been collected, the same shall be refunded, in terms of the order passed by the Division Bench of this Court in W.P. (MD) No.18151 of 2025. It is further submitted that the damages have been levied only prospectively from the month of July 2025 and not retrospectively, and that no steps have been taken to collect damages for any period prior thereto.



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6. This Court has considered the submissions of the learned counsel on either side. Taking note of the fact that the petitioners have paid rent up to July 2025 (subject to verification of the authorities concerned), and that the respondents have proposed to levy damages only from July 2025 onwards and only till fixation of fair rent, coupled with the assurance that such damages would be adjusted upon fixation of fair rent, this Court is of the view that no prejudice would be caused to the petitioners.

7. Accordingly, the petitioners are directed to pay the damages as determined by the respondents, for the time being, from July 2025 till fixation of fair rent. If the petitioners seek payment of the said damages in installments, it is open to the petitioners to submit a representation to the competent authority, and upon receipt of such representation, the authority shall consider the same in accordance with law.

8. The respondents are directed to fix the fair rent in respect of the subject property within a period of two (2) weeks from the date of receipt of a copy of this order.



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9. With the above directions, the Writ Petitions stand disposed of.

No costs. Consequently, the connected miscellaneous petitions are closed.

11.12.2025

Index : Yes/No
Internet: Yes/No
Neutral Citation: Yes/No
TSG
To
The Commissioner,
Hindu Religious and Charitable
Endowments (HR & CE) Department,
No.119, Uthamar Gandhi Salai,
Chennai-600 034.



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KRISHNAN RAMASAMY, J.

TSG

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