



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-01-2026

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THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

**WP No. 1535 of 2026
and W.M.P.No.1642 of 2026**

P.Angamuthu

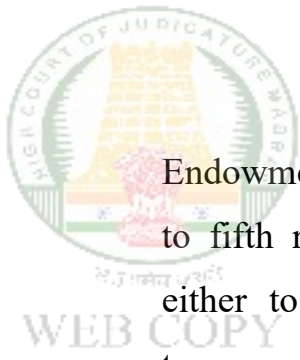
..Petitioner

Vs

1. The Secretary to Government,
Hindu Religious and Charitable
Endowments Department,
Secretariat, Chennai.
2. The Commissioner,
Hindu Religious and Charitable
Endowments Department,
Chennai.
3. The Joint Commissioner,
Hindu Religious and Charitable
Endowments Department, Salem.
4. The Chairman,
Board of Trustees,
Arulmigu Kamanatheeswarar Temple,
Aragalur, Thalaivasal Taluk,
Salem District.
5. The Executive Officer,
Arulmigu Kamanatheeswarar Temple,
Aragalur, Thalaivasal Taluk,
Salem District.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Mandamus, directing the third to fifth respondents to strictly act in accordance with Section 34-A of the Hindu Religious and Charitable



Endowments Act, 1959 by fixing the fair rent and consequently direct the third to fifth respondents to make allotment of temple owned commercial shops either to the petitioner based on the priority basis in a lawful, fair and transparent manner or in the alternative, conduct the open public auction based on the petitioner's representations dated 25.11.2025 and 26.12.2025 within a time stipulated by this Court.

For Petitioner: Mr.L.Ramanathan

For Respondents: Mr.K.Karthikeyan, Government Advocate

ORDER

The writ petition is filed for a mandamus to fix the fair rent in respect of the shops which are commercially owned by the temple and to allot them in a fair and transparent manner.

2. When the matter came up for hearing, the learned Government Advocate appearing for the respondents submitted that tenants were already in occupation of the said premises and that the tenants are alleging that the existing trustees have locked the shops merely because they were in arrears of rent. When such a dispute is pending, unless it is resolved by the authorities, the present prayer made by the petitioner cannot be countenanced at this stage. If the tenants are lawfully evicted and thereafter the shops are vacant, then the prayer of the petitioner to allot them only in a transparent manner and not through any backdoor method shall be considered.



3. So long as the tenants are in occupation, they have to be evicted in the manner known to law. Only if the tenants are evicted in the manner known to law, the petitioner's prayer to re-allot the shops in a fair and transparent manner shall be considered by the authorities and the shops shall be allotted only in such fair and transparent manner.

4. With the above observations, the writ petition stands disposed of. Consequently, connected miscellaneous petition is closed. No costs.

22-01-2026

Neutral Citation: Yes/No

NSL

To

1. The Secretary to Government,
Hindu Religious and Charitable
Endowments Department,
Secretariat, Chennai.

2. The Commissioner,
Hindu Religious and Charitable
Endowments Department,
Chennai.

3. The Joint Commissioner,
Hindu Religious and Charitable
Endowments Department, Salem.

4. The Chairman,
Board of Trustees,
Arulmigu Kamanatheeswarar Temple, Aragalur, Thalaivasal Taluk,
Salem District.



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D.BHARATHA CHAKRAVARTHY, J.

NSL

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