



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-01-2026

WEB COPY

CORAM

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

WP No. 2622 of 2026

Muthumadeswari

Petitioner(s)

Vs

1. The Commissioner
Hindu Religious and Charitable Endowment Department,
119, Uthamar Ganthi Road,
Nungambakkam, Chennai.

2. The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
Erode District.

3. The Assistant Commissioner
Hindu Religious and Charitable Endowment Department,
Namakkal District.

4. The Executive Officer
Arulmigu Anjineyar Temple,
Appurayar Sathiram,
Kumarapalayam, Agraharam Namakkal 638 183.

Respondent(s)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, for issuance of a writ of mandamus, directing the respondent No.2 to pass the rent fixation order in view of G.O.(Ms) No.298 dated 20.07.2010 issued by the Tamil Development, Religious Endowments and Information Department by considering the petitioner's reply dated 23.06.2025 within a stipulated timeline fixed by this Court.



For Petitioner(s): Mr.P.Vetrivel

For Respondents: Mr.S.Ravichandran
Special Government Pleader

ORDER

Mr.S.Ravichandran, learned Special Government Pleader, takes notice on behalf of the respondents.

2. This Writ Petition is being disposed of at the stage of admission itself with the consent of the learned counsel for the petitioner and the learned Special Government Pleader for the respondents.

3. This writ petition is filed for writ of mandamus, directing the respondents to pass the rent fixation order as per G.O.(Ms) No.298 dated 20.07.2010 issued by the Tamil Development, Religious Endowments and Information Department by considering the petitioner's reply dated 23.06.2025 within the stipulated time.

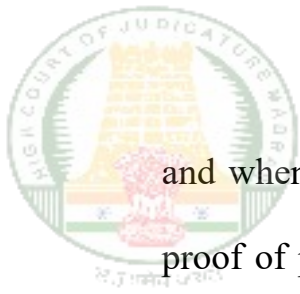
4. Upon hearing the learned counsel for the petitioner and perusing the affidavit filed in support of this writ petition and other material records of the case, the grievance of the petitioner is that the petitioner was originally a tenant and was paying Rs.54/- as rent upto the year 1995. Thereafter, according to the



petitioner, the temple was not properly collecting the rent. Earlier when they were directed to calculate the arrears, though they calculated the same as Rs.2,93,520/-, no appropriate orders was passed. In the meanwhile, the temple is proceeding to treat the petitioner, as if the petitioner is an encroacher and an order of eviction is also passed in M.P.No.8 of 2023. Therefore, the respondents are only to be directed to fix the rent and regularise the tenancy and the petitioner cannot be evicted from the property.

5. Per contra, the learned Special Government Pleader appearing for the respondents would submit that the petitioner never paid any rent after 1995, even after the calculation and fixation was made. Therefore, the petitioner was treated as an encroacher and due orders of eviction has also been passed.

6. I have considered the rival submissions made by the learned counsel on either side and perused the material records of the case. When an order of eviction is passed in M.P.No.8 of 2023, it is for the petitioner to file a revision in the manner known to law and contest the order of eviction. In the meanwhile, if the petitioner wants to regularise the tenancy, the petitioner shall deposit 50% of the arrears, as determined earlier, that is, 50% of the sum of Rs.2,93,520/-, and it is open to the petitioner to make a representation to the Commissioner/first respondent (HR & CE) by duly enclosing the receipt. As



and when such representation is received by the Commissioner along with the proof of payment for 50% of Rs.2,93,520/-, the Commissioner/first respondent shall consider such representation, including the quantum of rent fixed. If the Commissioner/first respondent is of the opinion that the petitioner can be regularised as a tenant, shall also indicate the quantum of arrears payable by the petitioner and if the petitioner pays the entire arrears, the tenancy shall be regularised. Failing which, it is for the authorities to proceed further with their eviction proceedings in accordance with law.

7. With the above observations and direction, this writ petition is disposed of. No costs.

29-01-2026

Jd
Index: Yes/No
Speaking/Non-speaking order
Internet: Yes
Neutral Citation: Yes/No



To

1. The Commissioner
Hindu Religious and Charitable Endowment Department,
119, Uthamar Ganthi Road,
Nungambakkam, Chennai.

2. The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
Erode District.

3. The Assistant Commissioner
Hindu Religious and Charitable Endowment Department,
Namakkal District.

4. The Executive Officer
Arulmigu Anjineyar Temple,
Appurayar Sathiram,
Kumarapalayam, Agraharam Namakkal 638 183.



WEB COPY

WP No. 2622 of 2026



D.BHARATHA CHAKRAVARTHY J.
jd

WP No. 2622 of 2026

29-01-2026