



W.P.No.3252 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.02.2026

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.3252 of 2026
and W.M.P.No.3678 of 2026

A.C.Vasudevan

.. Petitioner

Versus

1. The Commissioner,
Hindu Religious and
Charitable Endowment Department,
No.119, Uthamar Gandhi Salai,
Nungambakkam, Chennai – 600 034.

2. The Joint Commissioner,
Hindu Religious and
Charitable Endowment Department,
A/M, Thiripura Sundari Sametha
Sri Devendra Easwarar Temple,
Vellore, Vellore District.

3. The Executive Officer,
A/M, Thiripura Sundari Sametha
Sri Devendra Easwarar Temple,
Pinchi, Walaja Taluk, Ranipet District.

.. Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, directing the first respondent, the Commissioner, Hindu Religious and Charitable Endowment Department, Chennai to take on file N.Dis.No.2282923/2025...D2, dated 18.12.2025



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filed on 12.12.2025 and number the statutory appeal filed by the petitioner under Section 34(A)(3) of the HR & CE Act, 1959, without insisting upon deposit of the disputed fair rent amount as a pre-condition and consequently, forbear the respondents from giving effect to the impugned orders of fair rent fixation and eviction, dated 08.10.2025 and 24.11.2025 respectively, pending disposal of the said statutory appeal.

For Petitioner : Mr.P.Kandasamy

For Respondents : Mr.S.Ravi Chandran,
Additional Government Pleader

ORDER

This Writ Petition is filed with a prayer to number the statutory appeal filed by the petitioner under Section 34(A)(3) of the HR and CE Act, 1959 without insisting upon the deposit of the disputed fair rent amount as a pre-condition and consequently, forbearing the respondents from giving effect to the impugned orders of fair rent.

2. Upon hearing the learned Counsel for the petitioner and perusing the material records of the case, it can be seen that the petitioner is a tenant in respect of an extent of 27,319 Sq.ft. The rent was last revised in the year 2019 as Rs.11,385/- which is being paid by the petitioner. Now, the committee had revised the rent with effect from 01.07.2025 as



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Rs.1,35,230/- which was fixed as a fair rent by the order, dated 24.11.2025. The petitioner prays that his appeal, as against the said order, to be taken on merits without insisting on the pre-deposit. However, on consideration, the case of the petitioner is that he was not issued with a show-cause notice and was not afforded an opportunity even before the committee or by the Executive Officer at the time of fixation of fair rent. Secondly, it cannot be retrospectively decided.

3. As far as a question of retrospective is concerned, the Committee, when it took up the issue, it has prospectively fixed from 01.07.2025, as such fixation cannot be said as retrospective in this case. As far as the notice and the other quantum is concerned, the petitioner can very well agitate in the appeal. Considering the fact that the order itself was passed in the month of November, 2025 and the fact that the petitioner was paying the earlier rent regularly, let the appeal of the petitioner be taken up and considered by the first respondent on merits in accordance with law on a condition that the petitioner deposits 50% of the total arrears within a period of three weeks from the date of receipt of a web-copy of the order. Upon deposit of the amount, let the appeal of the petitioner be considered and disposed of in accordance with law within a period of 12



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weeks from the date of receipt of the deposit amount from the petitioner.

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4. Accordingly, this Writ Petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

02.02.2026

Neutral Citation : no
grs

To

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D.BHARATHA CHAKRAVARTHY, J.

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