



WEB COPY

W.P.No.14340 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.03.2026

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.14340 of 2024
and W.M.P.No.15566 of 2024

A.R.Kannan

... Petitioner

Versus

- 1.The Commissioner,
Hindu Religious and Charitable
Endowment, Uthamar Gandhi Salai,
Chennai.
- 2.The Assistant Commissioner,
Hindu Religious and Charitable Endowment,
Kumbakonam.
- 3.The Joint Commissioner,
Hindu Religious and Charitable Endowment,
Mayiladuthurai.
- 4.The Executive Officer,
A/m. Nageswaraswamy Temple,
Kumbakonam.

..... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order of the first respondent in N.Dis.No.489312/2024/D2 dated 06.05.2024 and quash the same and consequently direct the first respondent to number the unnumbered revision petition filed by the petitioner dated 22nd September, 2022 by condoning the delay in filing the revision petition.

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For Petitioner : Mr.R.Rajaramani
For Respondents : Mr.K.Karthikeyan,
Govt. Advocate for R1 to R3
Mr.M.Karthikeyan for R4

ORDER

This Writ Petition is filed challenging the order of the first respondent in N.Dis.No.489312/2024/D2 dated 06.05.2024 and for a consequential direction to the first respondent to number the unnumbered revision petition filed by the petitioner dated 22nd September, 2022 by condoning the delay in filing the revision petition.

2. The case of the petitioner is that the property comprised in T.S.No.254 measuring an extent of 1386 Sq.ft., belongs to the respondents temple. The property originally was leased out to Ambalaramaiyar and right from induction, the petitioner and his family continued the enjoyment of the property and thereafter, the petitioner's father has been in possession. According to the petitioner, the petitioner's father had been regularly paying lease rent to the temple and due to unforeseen incident,



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rent for the period from 2013 to 2016 could not be paid. Therefore, the 2nd

respondent has initiated proceedings under Section 78 of the HR& CE Act and thereafter, without any notice whatsoever, an eviction order dated 14.05.2019 was passed informing that the petitioner is in arrears of Rs.1,70,310/- The petitioner preferred a revision before the 2nd respondent, wherein he was asked to pay Rs.1,64,115/- and accordingly, the petitioner paid the said amount on 16.05.2023. The revision petition filed by the petitioner was returned by the 1st respondent, vide impugned order dated 06.05.2024 pointing out that there is a delay in filing the revision and the delay cannot be condoned by the 1st respondent, Challenging the order dated 06.05.2024, the petitioner has filed the instant writ petition.

3. Heard the learned counsel for the petitioner and the learned Government Advocate for the respondents and perused the materials on record.

4. Considering the fact that the petitioner was regularly paying the rent, an ex-parte order cannot be operated against the petitioner and therefore, in order to give one more opportunity to the petitioner, this Court



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directs the 1st respondent to restore the revision back to its file and entertain the revision petition without referring to the delay and pass appropriate orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order.

5. With the above direction, this Writ petition stands disposed of.

No costs. Connected miscellaneous petition is closed.

10.03.2026

Index ; Yet No

Internet: Yes / No

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M.DHANDAPANI, J.,

SSB

To

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