



W.P.No.24695 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.03.2026

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

**W.P.No.24695 of 2022
And
W.M.P.No.23642 of 2022**

G.Rajan

... Petitioner

Vs.

1 The Commissioner,
Hindu Religious and Charitable Endowments Department,
Chennai – 600 024.

2 The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Vellore.

3 The Executive Officer,
Arulmighu Vedhagireeswarar Thirukkoil,
Thirukkazhukkundram,
Chengalpattu District.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus by calling for the records relating to the impugned demand notice dated 15.09.2021 issued by the third respondent herein and quash the same as being illegal, arbitrary and contrary to the provisions of law and consequently direct the third respondent herein to re-fix the fair rent after giving sufficient



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opportunity to the petitioner herein as per the guidelines issued by the first respondent herein in Na.Ka.No.40651/2008/M3 dated 02.02.2009.

For Petitioner : Ms.Dipthi Munoth.A
For Respondents : Mr.N.R.R.Arun Natarajan for R1 and R2
Special Government Pleader
Mr.R.Bharanidharan for R3

O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Certiorarified Mandamus by calling for the records relating to the impugned demand notice dated 15.09.2021 issued by the third respondent and quash the same as being illegal, arbitrary and contrary to the provisions of law and consequently direct the third respondent to re-fix the fair rent after giving sufficient opportunity to the petitioner as per the guidelines issued by the first respondent in Na.Ka.No.40651/2008/M3 dated 02.02.2009.

2.The learned counsel appearing for the petitioner submitted that the property situated at No.97, New Bus Stand, Thirukkazhukundram, Chengalpattu District comprised in S.No.460 measuring an extent of 445 sq.ft. is owned by the third respondent



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Temple. Originally one Krishna Naicker was the tenant of the subject property and he borrowed money from the petitioner and died without discharging the debt due to the petitioner. Thereafter the property was let out to the petitioner. On 24.04.2008, the petitioner filed application before the second respondent seeking name transfer in respect of the tenancy over the subject property and the second respondent passed the order dated 01.09.2008 transferring the name of the tenant from Krishna Naicker to the name of the petitioner. Thereafter, the petitioner preferred application before the second respondent seeking to put up construction over the subject property and the second respondent also granted permission to construct a building over the subject property and the petitioner also put up a superstructure out of his own funds. Whiles, the third respondent issued the impugned demand notice dated 15.09.2021 fixing the fair rent of a sum of Rs.2,19,180/- in respect of the land and building for the period from 01.07.2016 to 30.06.2021 with retrospective effect.

3.The learned Special Government Pleader appearing for the respondents 1 and 2 submitted that as on date, the total outstanding amount due from the petitioner is Rs.3,75,920/- and further submitted that as on today (09.03.2026), this Court may fix the fair rent as



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Rs.6,360/- per month and the respondents may be permitted to enhance the rent by 15% for every three years and further submitted that this Court may issue direction to the petitioner to execute gift deed for the superstructure in favour of the third respondent Temple, if not already executed.

4.In response, the learned counsel appearing for the petitioner submitted that this Court may permit the petitioner to pay the outstanding amount of Rs.3,75,920/- by way of four installments and further submitted that the petitioner will execute gift deed for the superstructure in favour of the third respondent Temple, if not already executed and prayed this Court to issue direction to the respondents to recognize the petitioner as the tenant of the third respondent Temple.

5.In view of the fair submissions made on either side, this Court dispose of this writ petition with the following directions:

(i)The petitioner is directed to remit the outstanding amount of Rs.3,75,920/- in four monthly installments, commencing from 7th April, 2026 and shall pay the installments on or before 7th of every succeeding English Calendar month, i.e., a sum of Rs.1 Lakh each in



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the first three installments and the balance amount of Rs.75,920/- in the fourth installment.

(ii)As on today (09.03.2026), the rent for the subject property including superstructure is fixed at Rs.6,360/- per month and the respondents are permitted to enhance the rent by 15% once in every three years.

(iii)The petitioner is directed to execute gift deed for the superstructure in favour of the third respondent Temple, if not already executed. Thereafter, the respondents are directed to recognize the petitioner as the tenant.

(iv)In case, the petitioner commits any default in complying with the above directions, liberty is granted to the third respondent Temple to evict the petitioner forthwith.

6.The writ petition is disposed of with the above directions. No costs. Consequently, the connected miscellaneous petition is closed.

09.03.2026

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Index: Yes/ No
Speaking Order: Yes/ No
NCC: Yes/ No

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M.DHANDAPANI,J.
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To

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