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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-10-2026

CORAM

THE HONOURABLE MR.JUSTICE V. LAKSHMINARAYANAN

WP Nos. 43473, 43474, 43479 & 43481 of 2026

CNR:{HCMA012562392026}

WP No. 43473 of 2026

R.Deivanai

Petitioner(s)

WP No. 43474 of 2026

CNR:{HCMA012562402026}

D.Selvam

Petitioner(s)

WP No. 43481 of 2026

CNR:{HCMA012562422026}

D.Rajini

Petitioner(s)

WP No. 43479 of 2026

CNR:{HCMA012562412026}

D.Babu

Petitioner(s)

Vs

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

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

3.The Assistant Commissioner,
Hindu Religious and Charitable
Endowments Department, Thiruvallur.

4.The Inspector,
Hindu Religious and Charitable
Endowments Department, Uthukottai,
Thiruvallur District.

5.The Executive Officer,
Arulmigu Venugopalaswamy Temple,
Maduravasal Village, Uthukottai Taluk,
Thiruvallur District.

Respondents in all cases

WP No. 43473 of 2026

PRAYER

Calling for the records relating to the fair-rent fixation notice dated 07.10.2026 issued by the fourth respondent in connection with the proceedings in Se.Mu.Mu.No.1792/2026/E1 dated 23.07.2026 issued by the 2nd respondent in respect of the petitioner's residential premises situated in Survey No.181, Maduravasal Village, Uthukottai Taluk, Thiruvallur District, quash the same insofar as the impugned fixation and consequential demand are concerned and consequently direct the respondents to reconsider and refix the fair rent payable for the temple land alone, in accordance with the applicable statutory provisions and the principles laid down by the Honble High Court, without including the residential structure constructed by the petitioner, after reconsidering the retrospective calculation, giving credit for the advance of Rs.25,000 already paid, furnishing the relevant valuation particulars and affording the petitioner a reasonable opportunity of prior notice and hearing.

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WP No. 43474 of 2026

PRAYER

Calling for the records relating to the fair-rent fixation notice dated 07.10.2026 issued by the fourth respondent in connection with the proceedings in Se.Mu.Mu.No.1792/2026/E1 dated 23.07.2026 issued by the 2nd respondent in respect of the petitioner's residential premises situated in survey no.181, Maduravasal Village, Uthukottai Taluk, Thiruvallur District, quash the same insofar as the impugned fixation and consequential demand are concerned and consequently direct the respondents to reconsider and refix the fair rent payable for the temple land alone, in accordance with the applicable statutory provisions and the principles laid down by the Hon'ble High Court, without including the residential structure constructed by the petitioner, after reconsidering the retrospective calculation, giving credit for the advance of Rs.25,000 already paid, furnishing the relevant valuation particulars and affording the petitioner a reasonable opportunity of prior notice and hearing.

WP No. 43481 of 2026

PRAYER

Calling for the records relating to the fair-rent fixation notice dated 07.10.2026 issued by the fourth respondent in connection with the proceedings in Se.Mu.Mu.No.1792/2026/E1 dated 23.07.2026 issued by the 2nd respondent in respect of the petitioner's residential premises situated in Survey No.181, Maduravasal Village, Uthukottai Taluk, Thiruvallur District, quash the same insofar as the impugned fixation and consequential demand are concerned and consequently direct the respondents to reconsider and refix the fair rent payable for the temple land alone, in accordance with the applicable statutory provisions and the principles laid down by the Hon'ble High Court, without including the residential structure constructed by the petitioner, after reconsidering the retrospective calculation, giving credit for the advance of Rs.25,000 already

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paid, furnishing the relevant valuation particulars and affording the petitioner a reasonable opportunity of prior notice and hearing.

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WP No. 43479 of 2026

PRAYER

Calling for the records relating to the fair-rent fixation notice dated 07.10.2026 issued by the fourth respondent in connection with the proceedings in Se.Mu.Mu.No.1792/2026/E1 dated 23.07.2026 issued by the 2nd respondent in respect of the petitioner's residential premises situated in Survey No.181, Maduravasal Village, Uthukottai Taluk, Thiruvallur District, quash the same insofar as the impugned fixation and consequential demand are concerned and consequently direct the respondents to reconsider and refix the fair rent payable for the temple land alone, in accordance with the applicable statutory provisions and the principles laid down by the Hon'ble High Court, without including the residential structure constructed by the petitioner, after reconsidering the retrospective calculation, giving credit for the advance of Rs.25,000 already paid, furnishing the relevant valuation particulars and affording the petitioner a reasonable opportunity of prior notice and hearing.

For Petitioner(s): Mr.S.C.Pratheep Ashok Kumar

For Respondent(s): Mr.Veerabathiran,
Govt Advocate for (HR and CE)

ORDER

All the four writ petitioners are tenants. They are aggrieved by the notice issued by the fourth respondent calling upon the petitioners to pay the fair rent that has been fixed in terms of Section 34A of the Hindu Religious and Charitable Endowments Act.

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2.It is the grievance of the petitioners that the order fixing fair rent came to be passed without putting them on notice and that too, while proceedings are pending before the Commissioner/first respondent in R.P. Nos.353 to 358 of 2023.

3.A perusal of the impugned notice shows that it has been issued only consequent to the order fixing the fair rent. The order fixing the fair rent has not been challenged so far.

4.Insofar as the proceedings in R.P. Nos.353 to 358 of 2023 are concerned, they are revisions challenging the orders of eviction under Section 78 of the Act.

5.I am not aware of any law which states that a challenge to an order of eviction operates as a challenge to the order of fixation of fair rent. The revision challenging the consequential order without challenging the main order is not tenable. However, the petitioners cannot be left without any remedy.

6.The petitioners are granted four weeks time to challenge the order passed under Section 34A of the Act fixing the fair rent. If an appeal is filed invoking Section 34A(3) of the Act within a period of four weeks, the first respondent shall number the same without insisting on limitation.

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7.With the above observations, these writ petitions stand disposed of. Consequently, connected WMPs are closed. No costs.

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To

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

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

3.The Assistant Commissioner,
Hindu Religious and Charitable
Endowments Department, Thiruvallur.

4.The Inspector,
Hindu Religious and Charitable
Endowments Department, Uthukottai,
Thiruvallur District.

5.The Executive Officer,
Arulmigu Venugopalaswamy Temple,
Maduravasal Village, Uthukottai Taluk,
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V.LAKSHMINARAYANAN J.

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