



W.P.(MD) No.4199 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.02.2026

CORAM

THE HONOURABLE MR. JUSTICE KRISHNAN RAMASAMY

W.P.(MD)No.4199 of 2026

and

W.M.P.(MD).Nos.3491 and 3492 of 2026

Malikkinnisha

... Petitioner

Vs

- 1.The Commissioner,
Hindu Religious and Charitable Endowments,
Chennai.
- 2.The Joint Commissioner,
Hindu Religious and Charitable Endowments,
Mayiladuthurai.
- 3.The Assistant Commissioner,
Hindu Religious and Charitable Endowments,
Kumbakonam, Thanjavur District.
- 4.The Executive Officer,
Arulmigu Naageswara Swamy Temple (TM018044)
Kumbakonam-612 001.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records relating to the Arulmigu Naageswara Swamy Temple, Kumbakonam District, Commercial Property Rental Tender Notice dated NIL of 2026 passed by the third respondent to quash the same as illegal and consequently direct the respondents to unlock and unseal the



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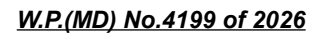
petitioner's portion in S.No.361, 362 and 363 to a total extent of 8235 Sqft by considering the petitioner's representation dated 18.09.2025.

For Petitioner	: Mr.V.Vishnu
For R-1 to R-3	: Mr.K.Balasubramani, Special Government Pleader
For R-4	: Mr.V.Chandrasekar

ORDER

This writ petition has been filed challenging the Commercial Property Rental Tender Notice dated NIL of 2026 issued by the third respondent in respect of Arulmigu Naageswara Swamy Temple, Kumbakonam District, and to quash the same as illegal and consequently direct the respondents to unlock and unseal the petitioner's portion in S.Nos.361, 362 and 363, measuring a total extent of 8235 sq.ft., by considering the petitioner's representation dated 18.09.2025.

2. The learned counsel appearing for the petitioner would submit that the petitioner has been in occupation of the commercial rental portion of the property belonging to the aforesaid temple since 1982 as a tenant. It is submitted that in the year 2016, the respondents issued a communication demanding arrears of rent and upon receipt of the same, the petitioner paid the arrears. However, on 25.03.2025, the premises was



Thereafter, the petitioner submitted a representation dated 18.09.2025 seeking to unlock and unseal the premises. It is further submitted that the respondents have now issued a public auction notice to grant lease in favour of third parties, which is under challenge in the present writ petition.

3. Per contra, the learned Special Government Pleader appearing for respondent Nos.1 and 2 would submit that the lease was not granted in favour of the petitioner, but only in favour of two individuals, namely Kannaiyan and Subramanian, and rent receipts were issued only in their names. It is further submitted that notice was issued on 13.11.2016 and the premises was locked and sealed on 25.03.2025. According to the respondents, the petitioner is only an encroacher and not a lessee.

4. Heard the learned counsel on either side and perused the materials available on record.

5. On a perusal of the records, it is evident that the lease in respect of the subject property was granted only in favour of Kannaiyan and



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Subramanian and not in favour of the petitioner. Merely because certain communications were addressed to the petitioner and payments were received from him, the same would not confer upon him the status of a lessee in the absence of any valid lease agreement in his favour. Therefore, the petitioner cannot claim any legal right as a lessee.

6. In such circumstances, the petitioner has no locus standi to challenge the impugned tender notice issued by the third respondent. The fact remains that the recognised lessees were only Kannaiyan and Subramanian. Hence, the writ petition challenging the impugned notice is liable to be dismissed.

7. In the result, this writ petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

8. However, if the petitioner intends to participate in the public auction scheduled to be held on 13.02.2026 at 03.00 p.m., pursuant to the impugned notice, the respondents are directed to permit the petitioner to participate in the tender process, subject to the petitioner submitting the necessary application along with a Demand Draft for a sum of



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Rs.28,00,000/- on or before 03.00 p.m. on the said date, in accordance with the tender conditions.

13.02.2026

Index : Yes/No

Internet: Yes/No

Neutral Citation: Yes/No

TSG

To

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Chennai.
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KRISHNAN RAMASAMY, J.

TSG

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