

C.M.P.(MD)Nos.3862 and 3863 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **11.06.2026**

CORAM

THE HONOURABLE **MR.JUSTICE V.LAKSHMINARAYANAN**

C.M.P.(MD)Nos.3862 and 3863 of 2026

in

C.R.P.(MD)Nos.187 and 244 of 2026

C.M.P.(MD)No.3862 of 2026:

The Joint Commissioner/Executive Officer,
Arulmigu Ramanathaswamy Thirukovil,
Rameshwaram,
Ramanathapuram District.

... Petitioner/2nd Respondent

vs.

1.B.Rajamurugan

...1st Respondent/Petitioner

2.The Commissioner,
Hindu Religious and Charitable Endowment
Department,
Chennai.

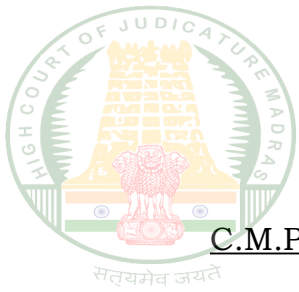
...2nd Respondent/1st Respondent

PRAYER: Civil Miscellaneous Petition filed under Section 151 of the Code of Civil Procedure, to vacate the interim order dated 02.02.2026 in C.R.P.(MD)No.244 of 2026.

For Petitioner : Mr.S.Ramesh

R-1 : Mr.S.Gokul Raj

For R-2 : Mr.R.Ramasamy
Special Government Pleader



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C.M.P.(MD)No.3863 of 2026:

The Joint Commissioner/Executive Officer,
Arulmigu Ramanathaswamy Thirukovil,
Rameshwaram,
Ramanathapuram District.

... Petitioner/2nd Respondent

vs.

1.R.Balasubramanian

...1st Respondent/Petitioner

2.The Commissioner,
Hindu Religious and Charitable Endowment
Department,
Chennai.

...2nd Respondent/1st Respondent

PRAYER: Civil Miscellaneous Petition filed under Section 151 of the Code of Civil Procedure, to vacate the interim order dated 02.02.2026 in C.R.P.(MD)No.187 of 2026.

For Petitioner : Mr.S.Ramesh

R-1 : Mr.S.Gokul Raj

For R-2 : Mr.R.Ramasamy
Special Government Pleader

COMMON O R D E R

Heard Mr.S.Ramesh for the petitioner, Mr.S.Gokul Raj for the 1st Respondent/Civil Revision Petitioner, Mr.R.Ramasamy, learned Special Government Pleader for the 2nd Respondent.

2. The Civil Revision Petitioners claim to be the tenants of shops situated in the முன்றாம் பிரகாரம் of Arulmigu Ramanathaswamy Thirukovil, Rameshwaram, Ramanathapuram District. They suffered an



C.M.P.(MD)Nos.3862 and 3863 of 2026

order enhancing the rent passed by the original authority as well as the first appellate authority. They have knocked on the doors of this Court invoking Section 34A(5) of the Hindu Religious and Charitable Endowments Act.

4. At the time of filing the revision, two applications were filed in C.M.P.(MD)No.15 of 2026 and C.M.P.(MD)No.19562 of 2025. These applications sought dispensation of the condition requiring the deposit of the arrears of fair rent fixed under Section 34A. Both applications were ordered by this Court on 08.01.2026 and 09.12.2025, respectively. The orders themselves point out that the dispensation of the mandatory deposit was granted “*for the present*”, considering the hardship expressed by the Civil Revision Petitioners. Notice and interim orders were granted.

5. The Executive Officer of the aforesaid temple has moved a vacate stay application on several grounds. The primary ground is that, as per the proviso appended to Section 34A(5), no revision can be entertained under Section 34A(5), unless it is accompanied by satisfactory proof of deposit of the lease rent fixed or refixed, in the account of the religious institution concerned. The proviso itself contemplates that the lease amount so deposited is capable of being adjusted towards the lease amount payable by the lessee, in the event the revision is allowed.



C.M.P.(MD)Nos.3862 and 3863 of 2026

6. This Court had temporarily dispensed with the requirement in order to obviate the difficult circumstances faced by the Civil Revision Petitioners at the time of filing the revision. Mr.S.Gokul Raj argues that, since the petition seeking dispensation has been allowed, the order has attained finality and must continue to operate till the revisions are disposed of. This argument is being stoutly opposed by Mr.S.Ramesh.

7. A perusal of the proviso points out that the revision itself cannot be entertained **“unless and until the deposit has been made”**. Unlike other statutes requiring pre-deposit, there is no provision to dispense with the deposit till the disposal of the revision. The emphasis on the word *“entertain”* implies that unless and until the arrears upto the date of filing of the revisions are paid and satisfactory proof thereof is produced before the Court, the revisions itself cannot be taken on file. I do not wish to put the clock back, as the Civil Revision Petitioners have secured orders from this Court on 09.12.2025 and 08.01.2026. Consequently, the **stay petition** and the **vacate stay petition** are **disposed of** on the following terms:

(i) The Civil Revision Petitioners shall deposit with the religious institution the entire arrears of lease rent as per the fixation made by the authorities below.



C.M.P.(MD)Nos.3862 and 3863 of 2026

(ii) The amount already deposited, if any, shall be adjusted towards the arrears payable by the Civil Revision Petitioners.

(iii) The Civil Revision Petitioners are granted **ten weeks' time from today** to deposit the arrears up to **December 2025**.

(iv) In the event of non-deposit of the amount within the time stipulated above, the revisions shall stand rejected without any further reference to this Court.

11.06.2026

Index :Yes / No
Internet :Yes / No
NCC :Yes / No
Nsr

To:

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

2.The Joint Commissioner/
Executive Officer,
Arulmigu Ramanathaswamy Thirukovil,
Rameshwaram,
Ramanathapuram District.



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C.M.P.(MD)Nos.3862 and 3863 of 2026

V.LAKSHMINARAYANAN, J.

Nsr

C.M.P.(MD)Nos.3862 and 3863 of 2026

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