



W.A.(MD) No.3242 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.01.2026

CORAM:

**THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN
and
THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN**

**W.A.(MD) No.3242 of 2025
and
C.M.P.(MD) No.20140 of 2025**

G.Ramachandran

... Appellant

-vs-

1.The Joint Commissioner of
Hindu Religious & Charitable
Endowment Department
Office of the Joint Commissionerate
No.H-306, TNHB Colony
Ellis Nagar, Madurai-625 016

2.The Assistant Commissioner
Hindu Religious & Charitable
Endowment Department
Office of the Assistant Commissionerate
No.18, Nachi Street, Virudhunagar
Virudhunagar District

3.The Executive Officer
Arulmighu Venkatachalapathi Thirukkivil
Sattur-626 203, Sattur Taluk
Virudhunagar District

... Respondents



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Writ Appeal filed under Clause 15 of Letters Patent to set aside the order, dated 17.10.2025, passed in W.P.(MD) No.26570 of 2025, on the file of this Court.

For Appellant : Mr.S.Sivakumar

For Respondents : Mr.J.Ashok
Additional Government Pleader for R1 & R2
Mr.P.Mahendran for R3

J U D G M E N T

[Judgment of the Court was made by DR.G.JAYACHANDRAN, J.]

Heard the learned counsel for the appellant.

2. The appellant herein being aggrieved by the order passed by the learned Single Judge is before this Court by way of this intra court appeal.

3. According to the appellant, he is in occupation of the land comprised in T.S.No.51, Perumalkovil Street, South Mada Street, Sattur Town and Taluk, Virudhunagar District, owned by the third respondent – Temple. The grandfather of his wife, by namely, Muniyandi Asari was the original tenant and he was in occupation of the dwelling house, which is the third



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respondent – Temple's property. Being aggrieved by the demand notice claiming arrears of rent and the order cancelling the licence, the appellant filed the writ petition in W.P.(MD) No.26570 of 2025. After hearing both sides, the learned Single Judge, by an order dated 17.10.2025, disposed of the said writ petition. The operative portion of the said order reads as follows:

“3. The impugned communication cannot be faulted. Admittedly, any person who is in occupation of the temple premises is bound to pay the rent. I made it clear to the petitioner that unless bona fides are shown, the writ petition will suffer dismissal.

4. Today, when the matter was taken up for hearing, the learned counsel for the petitioner produced a Demand Draft in favour of the third respondent to the tune of Rs.1,00,000/- (Rupees One Lakh only). The learned counsel for the temple is directed to accept the said Demand Draft. The petitioner has further undertaken that the balance amount of Rs.2,00,000/- (Rupees Two Lakhs only) will be remitted within a period of ten (10) weeks from the date of receipt of a copy of this order. If the petitioner clears the entire arrear and also continues to pay monthly rent of Rs.2871/- (Rupees Two Thousand Eight Hundred and Seventy One only), the third respondent temple can consider regularising the relationship with the writ petitioner.



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5. With the aforesaid observation and direction, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.”

4. In this intra court appeal, the appellant contends that the monthly rent of Rs.2,871/- is exorbitant and there are also arithmetic errors in calculation of rent. The rent fixed by the third respondent – Temple is not as per Section 34-A of the Tamil Nadu Religious and Charitable Endowments Act, 1957 and therefore, the order passed by the learned Single Judge needs to be revisited.

5. Mr.J.Ashok, learned Additional Government Pleader, who takes notice for the respondents 1 & 2, submits that the appellant herein is not a direct tenant under the third respondent – Temple. The appellant claims himself as a relative of the original tenant Muniyandi Asari. However, he has not paid the rent for several years and therefore, the demand notice was issued claiming arrears of rent and the licence was cancelled. The learned Single Judge, taking into consideration the plea raised by the appellant, directed him to pay the arrears of rent and get the tenancy regularized in his



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name. Instead of exercising the said option given to him, the appellant has preferred the present intra court appeal.

6. It is brought to the notice of this Court that the appellant has paid only Rs.1,00,000/- (Rupees one lakh only) after receipt of the demand notice impugned in the writ petition. This Court is of the view that it is a clear case of occupying the temple's land without paying the rent and also without having the legitimate jural relationship of landlord – tenant. The writ petition filed by the appellant herein is *per se* not maintainable. However, the learned Single Judge was sympathetic enough to consider the plea of the appellant and gave him the option to pay the arrears of rent and the rent fixed by the third respondent-Temple regularly and get the tenancy relationship regularized in his name. However, instead of electing the said option, the appellant is before this Court by way of this intra court appeal and it is very clear that his intention is that Court should not be privy to the said deceitful intention. Therefore, this Court is not inclined to entertain this intra court appeal.



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7. Accordingly, this writ appeal is dismissed. The third respondent – Temple authorities are at liberty to take necessary action pursuant to the notice and order impugned in the writ petition filed by the appellant herein. No costs. Consequently, connected miscellaneous petition is closed.

[G.J., J.]

[K.K.R.K., J.]

02.01.2026

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

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