



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-01-2026

CORAM

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THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

WP No. 1211 of 2026

and W.M.P.No.1412 of 2026

Mr.M.Sivakumar (Mentally ill person)
S/o.Murugaiya Pillai,
Represented by his guardian,
Appointed by the Court,
Mrs. S. Bobby,
W/o M. Sivakumar,
No.129/A1, Velangudi Main Road,
Opposite to Ayya School,
Pulivalam, Thiruvarur.

..Petitioner

Vs

1. The Commissioner,
HR & CE department,
Officer of the Commissioner,
No.119, Uthamar Gandhi
Nungambakkam,
Chennai - 600 034.
2. The Joint Commissioner,
HR & CE Department,
Combined Joint Commissioner Office,
Nagapattinam,
Tamil Nadu - 611 001.
3. The Assistant Commissioner,
HR & CE Department,
No.2, Mayiladuthurai Road,
Thiruvarur - 611 001.
4. The Executive Officer,
Arulmigu Renugadevi Amman Temple
Vijayapuram, Thiruvarur District- 610 001.

..Respondents



Prayer: Writ Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Mandamus, directing the respondents 1 to 4 to act upon the representation dated 06.11.2025 submitted by the petitioner to transfer the tenancy in the petitioner name since the petitioner inherited the property from the petitioner's mother Umarani and willing to pay the fair rent fixed by the respondents as per the norms for the land an extent of 4042 Sq.ft comprised in Survey No.912/1 belonging to the fourth respondent temple.

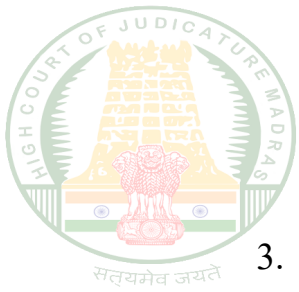
For Petitioner: Mr.R.Sathiamoorthy for
M/s.SVV Law Firm

For Respondents: Mr.N.R.R.Arun Natarajan
Special Government Pleader

ORDER

The writ petition is filed for issuance of a mandamus directing respondents 1 to 4 to act upon the representation of the petitioner dated 06.11.2025.

2. Upon hearing the learned counsel for the petitioner and perusing the material records of the case, it is the case of the petitioner that he submitted the above representation seeking transfer of tenancy in his name. It is further the case of the petitioner that the property belongs to the temple and that the leasehold rights were sold and purchased from the original lessee by the vendor of the petitioner and thereafter by the mother of the petitioner, who put up the superstructure and have been residing there. Therefore, the petitioner now wants attornment of tenancy in his name.



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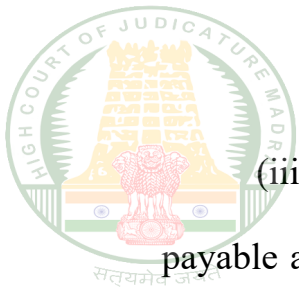
3. *Mr.N.R.R.Arun Natarajan*, the learned Special Government Pleader taking notice on behalf of the respondents, would submit that eviction proceedings have already been initiated in accordance with due process of law and that it is open to the petitioner to contest the same in the manner known to law.

4. When the petitioner prays for attornment of tenancy in the affidavit, even the quantum of rent is not mentioned and it is not stated whether he has paid even a single penny to the temple. Even the learned counsel for the petitioner is unable to answer the query raised by this Court.

5. In view thereof, this writ petition is *disposed of* on the following terms:

(i) When eviction proceedings are initiated against the petitioner, it will be open to the petitioner to contest the same in the manner known to law and the authorities shall consider all objections raised by the petitioner and pass orders in accordance with law.

(ii) If the petitioner wants attornment of tenancy, he shall first deposit the entire arrears as determined by the respondents. Only upon such deposit, the respondents shall consider attornment of tenancy in the name of the petitioner.



(iii) The authority shall intimate the petitioner regarding the arrears payable and the within such time as may be granted, the entire arrears of rent shall be paid. If the petitioner fails to deposit the arrears of rent within the stipulated time, the question of considering attornment of tenancy shall not arise at all.

(iv) Consequently, connected miscellaneous petition is closed. No costs.

21-01-2026

Neutral Citation: Yes/No

NSL

To

1. The Commissioner,
HR & CE department,
Officer of the Commissioner,
No.119, Uthamar Gandhi
Nungambakkam,
Chennai - 600 034.

2. The Joint Commissioner,
HR and CE Department,
Combined Joint Commissioner Office, Nagapattinam,
Tamil Nadu - 611 001.

3. The Assistant Commissioner,
HR and CE Department,
No.2 Mayiladuthurai Road,
Thiruvarur - 611 001.

4. The Executive Officer,
Arulmigu Renugadevi Amman Temple
Vijayapuram, Thiruvarur District- 610 001



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