



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-06-2026

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WEB COPY

THE HON'BLE MR JUSTICE KRISHNAN RAMASAMY

WP No. 16064 of 2026

and

WMP.No. 17303 of 2026

Usha, W/o.Ponappan
West Street, Vellai adambar,
S.R.Puram Post, Kodaval Taluk,
Thiruvarur District
Now Residing at
No.3 Thoppu Street, Mayiladuthurai.

..Petitioner(s)

Vs

1. The Commissioner,
The Tamil Nadu Hindu Religious and
Charitable Endowment, Chennai.
2. The Joint Commissioner,
The Tamil Nadu Hindu Religious and
Charitable Endowment,
Mayiladuthurai.
3. The Assistant Commissioner,
The Tamil Nadu Hindu Religious and
Charitable Endowment,
Mayiladuthurai.
4. The Hereditary Trustee,
Arulmigu Droupathy Amman Thirukoil,
No.2 Road, Mayiladuthurai Town and Taluk.

..Respondent(s)

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking issuance of writ of certiorarified mandamus, calling for the records relating to the impugned proceedings dated 05.03.2025 made in N.Dis.No.1316847/



2025/D2 passed by the 1st respondent and quash the same as illegal and consequently direct the 1st respondent to number the Revision Petition filed under Section 21 of the HR & CE Act dated 27.02.2025 filed by the petitioner and dispose the same on merits.

For Petitioner(s): Mr.S.Sarath Chandran

For Respondent(s): Mr.V.Chandraprabu
Government Counsel (HR & CE) for R1 to R3

Ms.N.Alamelu Mangai for R4

ORDER

This Writ Petition has been filed challenging the impugned proceedings of the 1st respondent dated 05.03.2025 and consequently, direct the 1st respondent to number the Revision Petition filed under Section 21 of the HR & CE Act dated 27.02.2025 filed by the petitioner and dispose the same on merits.

2. The learned counsel appearing for the petitioner would submit that the petitioner is a tenant under the fourth respondent Temple property to an extent of 462 Sq.ft and paying rent of Rs.900/- regularly without any default. It is the grievance of the petitioner that without any notice with regard to fixation committee, the second respondent passed order for eviction on 30.01.2024. Initially, the petitioner has preferred a civil suit in O.S.No.93 of 2024 as against the eviction, however, since there was an appellate remedy before the first respondent, the petitioner subsequently filed a revision before the first



respondent. Since the said revision was not filed in time, the first respondent returned the petition vide impugned order dated 05.03.2025. Challenging the same, the present writ petition has been filed.

3. When the matter was taken up for hearing on 28.04.2026, this Court passed the following order:

“2. Considering the prima facie case and the balance of convenience is in favour of the petitioner, there shall be an order of interim injunction restraining the respondents from taking any step to evict the petitioner from her shop, subject to payment of Rs.7,00,000/- to the official respondents on or before 01.06.2026.”

4. When the matter is listed today, as directed by this Court in its order dated 28.04.2026, Rs.7,00,000/- has not been paid by the petitioner. The learned counsel for the petitioner again disputing the same by submitting that the petitioner is not liable to pay the said sum.

5. The learned Government Counsel appearing for the official respondent submitted that the order dated 28.04.2026 has not been complied with by the petitioner therefore, he is liable to be discontinued.

6. In such being the case, this Court is not inclined to interfere with the eviction and further it is brought to the knowledge, at the instance of the



petitioner only, an application filed before Sub-Court, Mayiladuthurai for the purpose of appointing receiver. Without considering the aspect that the petitioner is a tenant, it appears that a receiver has also been appointed. It appears that he is making an attempt to divert the proceedings and thereby not to pay the rent.

7. As per the impugned proceedings, Rs.7,00,000/- is liable to be paid by the petitioner. This Court, after taking into consideration, directed the petitioner to pay a sum of Rs.7,00,000/- and the same has not been paid yet therefore, to interfere with the impugned order passed, he supposed to have filed an appeal before the Commissioner within 90 days. However, there is a delay of 290 days. Such being the case, this Court is not inclined to interfere with the impugned order dated 05.03.2025 passed by the respondent. The petitioner would submit that only a sum of Rs.5,41,000/- has to be paid, however, Rs.7,00,000/- was ordered. Even assuming Rs.7,00,000/- is ordered to be paid, he is supposed to deposit the amount, after that he has to establish his case. In the event if the Court finds that he is liable to pay only Rs.5,41,000/-, the Court would have passed order for refunding the same. Such being the case, without complying the order of this Court, now he is claiming that he has to pay only Rs.5,41,000/- therefore, he is not entitled to further orders. It is nothing but delay in payment of the rent, in such case, the tenant is liable to be discontinued.



8. In such view of the matter, this Writ Petition is dismissed with a direction to the respondents to immediately take steps to evict the petitioner within a period of two weeks from the date of receipt of a copy of this order.

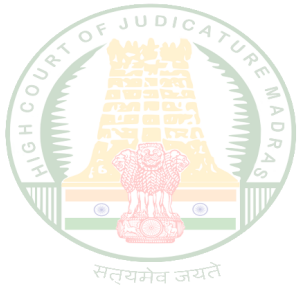
No costs. Consequently, connected miscellaneous petition is closed.

9. The learned Government Counsel for the respondents would submit after the eviction, they would fix the fair rent and thereafter, issue publication for tender. In which case, the petitioners can very well participate, after payment of the present arrears, which is subject to satisfaction of the respondents. The petitioner shall pay the arrears of rent within a period of two weeks from the date of receipt of a copy of this order.

16-06-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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KRISHNAN RAMASAMY, J.

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