

BEFORE THE COMMISSIONER, HR&CE ADMN.DEPARTMENT, CHENNAI-34.

Tuesday the 7th day of May, Two Thousand and Thirteen

Present: Thiru P.Dhanapal., M.A.,B.L.,
Commissioner.

A.P. 24/2005 D2

Between

S. Saileela Rama Rao

..Appellant.

And

1. The Joint Commissioner, HR & CE Admn.Dept.,
Chennai.34.

2. The Executive Officer,

Arulmighu Angalaparameswari

Kasi Viswanathaswamy Temple, Choolai,
Chennai. 112.

.. Respondent.

In the matter of Arulmighu Angalaparameswari Kasi
Viswanathaswamy Temple, Choolai, Chennai 600 112.

Appeal petition filed under Section 34(A)(3) of the Tamil Nadu H.R.
& C.E. Act 1959 (Tamil Nadu Act 22 of 1959) against the notice dated
17.5.2005 of the Executive Officer of the above temple regarding fixing of
fair rent.

Order in D.Dis. A.P.NO. 24/2005 D2 DATED: 7.5.2013.

The above Appeal Petition having come on for final hearing before
me on 19.4.2013 in the presence Appellant in person and the
Respondent. Upon perusing the connected records the following order is
made:-

ORDER

1. This Appeal Petition has been filed against the notice dated 17.5.2005 issued by the Executive Officer of the above religious institution to the Appellant in fixing the Fair Rent to the property of the religious institution with retrospective effect from 1.11.2001 and demanding the appellant to pay the Fair Rent together with arrears.

2. The appellant has alleged that the revised rent is exorbitant, details of method of calculation and the working sheet were not furnished and the demand for payment of Fair rent together with the arrears with retrospective effect is not just and reasonable.

3. I heard both the parties and perused the relevant records. The impugned notice has been issued informing the fixation of enhanced rent by the Fair Rent Fixation Committee and demanding the appellant to pay the Fair Rent together with the arrears with retrospective effect from 1.11.2001. The Fair Rent has been fixed by the Rent Fixation Committee as per the guidelines issued in G.O.Ms.No.353, dated 4.6.1999.

4. Subsequently the Government have issued revised guidelines for fixing the Fair Rent to the properties of religious institutions, in G.O.Ms.No. (Rt) 456, dated 9.11.2007 and G.O.Ms.No. 298, dated 20.7.2010 (residential). Hence, the Executive Officer is directed to re-fix the fair Rent as per the guidelines issued in G.O.Ms.No. 456 dated 9.11.2007/G.O.Ms.No. 298 dated 20.7.2010 and communicate the same

to the appellant along with rent fixation statement and arrears calculation statement within one week and the appellant is directed to furnish objections if any to the Executive Officer within a week from the date of receipt of the notice to be placed before the committee for consideration. Thereafter, the Executive Officer is at liberty to place the same before the fair rent committee along with the objections filed if any by the appellant for consideration, get approval of the Committee and communicate the same to the appellant within 15 days from the date of receipt of the objection. On receipt of the fair rent fixation order, the appellant shall settle the entire arrears within 3 weeks from the date of receipt of the order. Till then the appellant is directed to pay the admitted rent without fail.

With the above directions, the Appeal Petition is closed.

/typed to dictation/

Sd.P. Dhanapal,
Commissioner.

/ true copy/ by order/

Superintendent.

To

1. S. Saileela Rama Rao, No.4, Angalamman Koil East Mada Street, Choolai, Chennai 600 112.
2. The Executive Officer, Arulmighu Angala Parameswari Kasi Viswanathaswamy Temple, Choolai, Chennai.112.

Copy to:

3. The Joint Commissioner, HR & CE Admn.Department, Chennai.34.
4. The Assistant Commissioner, HR & CE Admn.Department, Chennai.34.
5. Extra.