

BEFORE THE COMMISSIONER, H.R. & C.E. ADMN. DEPARTMENT, CHENNAI.34.

Tuesday the 6th day of August, Two thousand and thirteen.

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

A.P.43/2012 D.2.

Between.

N. Subramanian.

.. Appellant.

And.

Executive Officer,
Arulmighu Subramaniaswamy Temple,
Engan, Thiruvarur District.

.. Respondent

In the matter of Arulmighu Subramaniaswamy Temple, Engan,
Thiruvarur District.

The Appeal Petition filed under Section 34(A)(3) of the Tamil Nadu
HR & CE Act, 1959 (Tamil Nadu Act 22 of 1959) against the notice dated
28.3.2012 of the Executive Officer.

Order in D.Dis. A.P. 43/2012 (D2) dated: 6.8.2013.

The above appeal petition having come on for final hearing before
me on 23.7.2013 before me in the presence of Thiru N. Sathyamoorthy,
Counsel for the Appellant and upon hearing the arguments and after
perusing the records, and the matter having stood over for consideration
till this day, the following order is made.

ORDER

The above appeal petition filed under Section 34(A)(3) of the Act
against the notice dated 28.3.2012 of the Executive Officer directing the
appellant to pay the arrears of rent.

2. The appellant contended that in the impugned notice Executive Officer has stated that the appellant has to pay the arrears of rent from 30.6.2012 and he has not mentioned under what Government Order the fair rent of the said house plot has been calculated. Procedures have not been followed before issuing the notice fixing the fair rent. The property is being used purely for residential purposes. If the fair rent is calculated as per the relevant Government Order, it should be lesser amount than the amount claimed by the respondent in his notice dated 28.3.2012.

3. I heard Thiru N. Sathyamoorthy, Counsel for the appellant and the Executive Officer of the Temple. At the time of enquiry, the Executive Officer has been directed to fix the fair rent as per Government Orders. Accordingly, the fair rent fixed by the fair rent committee and the same has been accepted by the appellant. The appellant also paid the entire arrears. The Executive Officer of the temple has also made endorsement to that effect.

Since as prayed by the appellant, the fair rent has been revised as per Government Orders and arrears paid, the prayer in the appeal petition becomes infructuous. Accordingly, the appeal petition is dismissed as infructuous.

/typed to dictation/

Sd.P. Dhanapal,
Commissioner.

/ true copy/ by order/

Superintendent.

To

1. The Appellants through Thiru N. Sathyamoorthy, No. 62, New Law Chambers, High Court, Chennai.104.
2. The Executive Officer, Arulmighu Subramaniaswamy Temple, Engan, Thiruvarur District.

Copy to:

3. The Joint Commissioner, HR&CE Admn.Dept., Thanjavur.
- 4 The Assistant Commissioner, HR&CE Admn.Department, Thiruvarur.
5. Extra.