



WEB COPY

WA No. 2238 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-07-2026

CORAM

THE HON'BLE DR JUSTICE G. JAYACHANDRAN

AND

THE HON'BLE MRS.JUSTICE N. MALA

Writ Appeal No. 2238 of 2026

and

C.M.P.No. 19385 of 2026

Arulmigu Vishweswara Swamy
Vishalakshiamman,
Subramania Swamy Thirukoil, Rep.by its
Executive Officer, Nallur,
Tiruppur Taluk,
Tiruppur District.

..Appellant

Vs

1. A.R.Shanmugasundaram @ A.R.Shanmugham
2. The Joint Commissioner
Hindu Religious and Charitable Endowment
Department, Tiruppur - 638 004,
Tiruppur District.
3. The Sub Registrar
Sub Registrar Office, Nallur,
Tiruppur District.

..Respondents

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent, to set aside the order passed in WP No.38505 of 2024 dated 17.12.2024 and thus render justice.

For Appellant:

Mr.N.R.R.Arun Natarajan

For Respondents:

Mr.T.Balahi FOR R1



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Mr.V.Chandra Prabu
Government Advocate (HR & CE) FOR R2

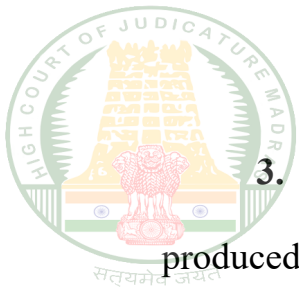
Mr.K.Surendar
Government Advocate FOR R3

JUDGMENT

(Judgment of the Court was delivered by Dr.G.Jayachandran J.)

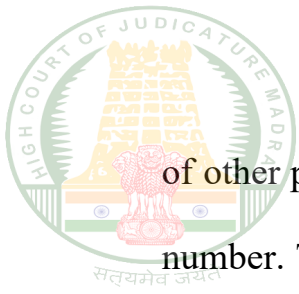
A vast extent of land owned by appellant was attempted to be alienated by a third party. This prompted the Executive Officer of the appellant temple to intimate to the jurisdictional Sub-Registrar not to entertain any sale deed alienating the properties covered under the annexure to the representation. This annexure contained approximately 36 properties, detailing their survey numbers and extents, for the information of the Sub Registrar to stop registration of those properties over which the temple claims title.

2. This communication, issued by the appellant on 20.06.2022, was acted upon by the Sub-Registrar vide proceedings dated 11.11.2024. While so, one A.R.Shanmugasundaram @ A.R.Shanmugham approached this Court under Article 226 of the Constitution seeking a Writ of Certiorarified Mandamus to quash the communication issued by the appellant dated 20.06.2022 and the proceedings issued by the Sub-Registrar on 11.11.2024 and consequently to direct the Sub-Registrar to entertain the sale deed presented by him for registration in respect of the property under survey No.292/1 (New Survey No.292/1B1B), Nallur Village, Tiruppur District.



3. The learned Single Judge, after appreciating the documents produced on either side, concluded that the survey number for which the writ petitioner seeks registration had already been assigned in favour of the writ petitioner during the Settlement Tahsildar proceedings conducted on 23.08.1971 and subsequent proceedings. Furthermore, in an earlier writ petition where the temple had made a claim in respect of different survey numbers for which patta was granted by the Settlement Tahsildar, the Court had granted liberty to the temple to challenge the same. Accordingly, the learned Single Judge allowed the writ petition and directed the Sub-Registrar to accept the sale deed and register the same. However, in the course of allowing the writ petition, the learned Single Judge quashed the communication of the Executive Officer (the appellant herein) as well as the proceedings of the Sub-Registrar, which covers not only the survey numbers of the writ petitioner but also other survey numbers where no dispute or claim has been raised by the third parties. Therefore, we find merit in the writ appeal preferred by the temple.

4. Though the writ petitioner has title by virtue of the patta issued by the Settlement Tahsildar, if the temple wants to claim any right over the property, it must establish the same before the civil Court in the manner known to law. The rights and privilege existing in favour of the writ petitioner cannot be extended to the other survey numbers. Unfortunately, the learned Single Judge, by quashing the communication of the Executive Officer and the proceedings of the Sub-Registrar, has opened the floodgates for the registration



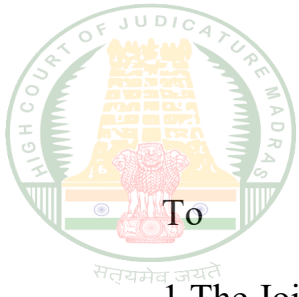
of other properties falling under the remaining survey numbers, which are 36 in number. The learned Single Judge ought to have restricted the relief only to the specific survey numbers and the sub-divisions which is the subject matter of the writ petition.

5. We therefore, clarify the order of the learned Single Judge and hold that the direction to register the sale deeds presented by the writ petitioner A.R.Shanmugasundaram @ A.R.Shanmugham, alone will be covered by the order and not the other survey numbers which form part of the communication of the proceedings of the Sub-Registrar. We make it clear that the Sub-Registrar concerned need not entertain any sale documents pertaining to the other survey numbers mentioned in the annexure provided by the Executive Officer. We further clarify that if the temple has any right in the specific survey numbers which is the subject matter of the two sale deeds of the 1st respondent, it is always open to the temple to ascertain its rights in the manner known to law by approaching the civil Court, subject to the laws of limitation and other legal constraints.

6. With the above observations, this Writ Appeal is partly allowed. Consequently, the connected Miscellaneous Petition is closed. No costs.

(Dr.G.J.,J.) (N.M.,J.)
29-07-2026

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



To

1. The Joint Commissioner
Hindu Religious and Charitable Endowment Department,
Tiruppur - 638 004, Tiruppur District.

2. The Sub Registrar
Sub Registrar Office, Nallur,
Tiruppur District.



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