



W.P.(MD) No.36278 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.07.2026

CORAM

**THE HON'BLE MR.JUSTICE C.SARAVANAN**

W.P.(MD)No.36278 of 2025

P.Pandi

... Petitioner

Vs.

1.The Sub Registrar,  
Sub Registrar Office,  
Sankarankovil,  
Tenkasi District.

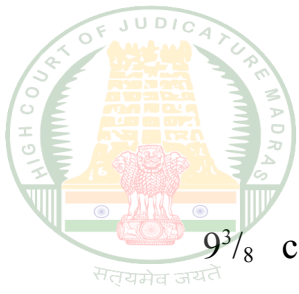
2.Arulmigu Sankaranarayanawamy Temple,  
Represented by the Assistant Commissioner /  
Executive Officer ,  
Sankarankovil, Tenkasi District.

3.The Commissioner,  
Hindu Religious and Charitable Endowments Department,  
No.119, Uthamar Gandhi Salai,  
Nungambakkam, Chennai-600 034.

... Respondents

[R3 is suo motu impleaded vide order dated 18.12.2025]

Prayer : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorarified Mandamus calling for the records of the impugned Refusal Check Slip vide Refusal number: RFL/Sankarankovil/125/2025 dated 09.09.2025 passed by the first respondent with regard to Plot No.53 with constructed house bearing Door No.740 and 740A comprised in Re-survey No.620/2 and new Natham survey No.747/3, in NGO "A" Colony measuring to an extent of



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9<sup>3</sup>/<sub>8</sub> cents situated in Kalappakulam Village, Sankarankovil Taluk, Tenkasi District and quash the same as illegal and consequently direct the first respondent to register the documents/deeds to be presented by the petitioner with regard to Plot No.53 in NGO "A" Colony measuring to an extent of 9<sup>3</sup>/<sub>8</sub> cents situated in NGO "A" Colony, Kalappakulam Village, Sankarankovil Taluk, Tenkasi District, within a time frame to be fixed by this Court.

|                |                                                 |
|----------------|-------------------------------------------------|
| For Petitioner | : Mr.R.J.Karthick                               |
| For R1 and R3  | : Mr.S.Venkatesh<br>Government Standing Counsel |
| For R2         | : Mr.S.Manohar<br>Standing Counsel              |

### ORDER

The petitioner is before this Court challenging the impugned Refusal Check Slip dated 09.09.2025, whereby the first respondent declined to register the Sale Deed dated 09.09.2025 executed by the petitioner in favour of one K.M.Velladurai, on the ground that the second respondent Temple had raised an objection to the registration.

2. The relevant portion of the impugned Refusal Check Slip reads as follows:



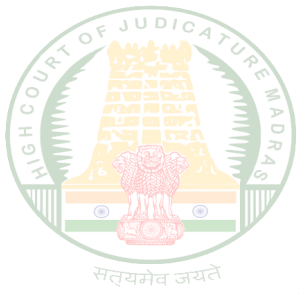
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1. இதர காரணங்கள்: சங்கரன்கோவில் சார்பதிவாளர் அலுவலகத்தில் பதிவுக்கு தாக்கல்செய்யப்பட்ட ஆவணத்தில் கண்ட சொத்து விபரத்தில் தெரிவிக்கப்பட்டுள்ள களப்பாகுளம் கிராம புல எண் 620 1க்கு பழைய புல எண் 438 A1 இந்து சமய அறநிலையத்துறைக்கு பாத்தியப்பட்டது என தெரிவித்து அருள்மிகு சங்கரநாராயணசுவாமி திருக்கோவில் சங்கரன்கோவில் செயல் அலுவலர் அவர்களின் ந க எண் 377 2018 அ2 நாள் 09 02 2021 கடிதத்தில் தெரிவிக்கப்பட்டுள்ளதால் செயல்அலுவலர் துணை ஆணையர் அருள்மிகு சங்கரநாராயணசுவாமி திருக்கோவில் சங்கரன்கோவில் அவர்களிடமிருந்து தடையின்மை சான்று பெற்று தாக்கல் செய்யுமாறு தெரிவித்து திருப்பப்படுகிறது

3. The records reveal that the property in question was purchased by the petitioner, under a registered Sale Deed dated 01.12.1986, registered as Document No.1666 of 1986, from the Sankarankovil N.G.G.O.'s and Other Public Servants Co-operative Building Society Ltd. (hereinafter referred to as "the Society").

4. It is the case of the petitioner that certain proceedings had earlier been initiated by the second respondent Temple after Settlement Pattas were issued by the Settlement Tahsildar on 18.03.1968 under Act 30 of 1963 in favour of the Bhattars. The Bhattars had thereafter sold the lands to the Society. The said transaction became the subject matter of challenge in O.S.No.181 of 1975 on the file of the District Munsif Court, Sankarankovil. The suit was decreed on 30.07.1977. Aggrieved by the said judgment and decree, the Society and the Bhattars preferred A.S.No. 23 of 1977. During the pendency of the appeal, the parties entered into a compromise before the Lok Adalat.



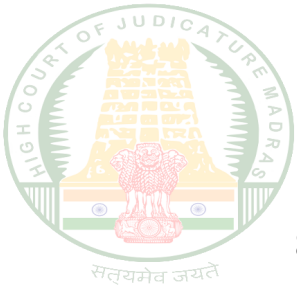
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5. It is submitted that, pursuant to the compromise arrived at before the Lok Adalat in A.S.No.23 of 1977, the Commissioner also granted sanction under Section 43 of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959, on 22.02.1982, ratifying the earlier alienations.

6. It is the further case of the petitioner that, in terms of the compromise entered into before the Lok Adalat, the sale consideration received by the Bhattars from the Society was to be paid over to the Temple.

7. It is submitted that, pursuant thereto, a Release Deed dated 03.04.1982 was executed by the Bhattars in favour of the Society. Thereafter, the petitioner purchased the subject property from the Society under the registered Sale Deed dated 01.12.1986, registered as Document No.1666 of 1986. It is further submitted that the petitioner is in continuous possession and enjoyment of the property ever since. The Sale Deed sought to be registered was executed by the petitioner in favour of K.M.Velladurai, due to financial constrains.



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8. It is further evident from the records that the Temple itself had

issued a Caution Notice as early as 10.12.2005 in respect of several lands comprised in various survey numbers, cautioning the general public against entering into any transaction relating to the said lands. The relevant portion of the Caution Notice is extracted below:

**அருள்மிகு சங்கர நாராயணசுவாமி**  
**திருக்கோயில்,**  
சங்கரன்கோவில், திருநெல்வேலி மாவட்டம்.

**எச்சரிக்கை அறிவிப்பு**

இதன் 'தபசில்' கண்ட சொத்துக்கள் திருநெல்வேலி மாவட்டம், சங்கரன்கோவில் அருள்மிகு சங்கரநாராயணசுவாமி தேவஸ்தானத்திற்கும் பாதிக்கப்பட்ட டிடி எண். 193-தேவஸ்தானம் டீட்டர்கள் மானிய நிலங்கள். அம் சொத்துக்களை மேற்படி திருக்கோயிலில் ஊழியம் செய்யும் டீட்டர்களுக்கோ அலகுகளைச் சார்ந்தவர்களுக்கோ வழிநிதி இத்து சம்ப அனுதினமும் சட்டத்தின்படிக்கும், அரசாணையின் படிக்கும் எவ்வித விலக்கப் பாளத்தின்களோ, விநியோகமோ செய்ய எவ்வித உரிமையோ, பாத்தியங்களைச் சிடைபாது. அலகுகள் ஏதேனும் விலக்கப் பாளத்தின்களோ, கிளையங்களைச் செய்திருந்தாலும் அவைகள் மேற்படி திருக்கோயிலை எவ்வகையிலும் கட்டுப்படுத்தாது. ஆகவே பொதுமக்கள் யாவரும் இதன் தபசில் கண்ட சொத்துக்களை மேற்படி டீட்டர்கள் மானியதாரர்களிடம் இருந்து எவ்வகையிலும் கிளையங்களைச் செய்யும் பாளத்தின்களோ பெறுக்கடாது. இதன் மூலம் எச்சரிக்கப்படுகிறார்கள். மீறி நடந்தால் அதனால் மேற்படி திருக்கோயிலுக்கு ஏற்படும் சகல இழப்புகளுக்கும் மேற்படியார்கள் பொறுப்பாவார்கள் என்பதை இதன் மூலம் தெரிவிக்கப்படுகிறது.

**தபசில்**

திருநெல்வேலி மாவட்டம், சங்கரன்கோவில் டீட்டம் களப்பாதுளம் விராமம் டிடி எண். 193 தேவஸ்தானம் டீட்டர்கள் மானிய பூஞ்செய் நிலங்கள்.

**களப்பாதுளம் சர்வே எண்கள்**

557/1-557/32, 438A/1, 438A/2, 589/1, 589/2, 590, 590/1A-590/1H, 590/2A, 590/2B, 591, 591/1 to 591/14, 592/1, 592/1A, 557/33-557/41, 608/2, 592/1B-592/1E, 592/2, 92/2A to 592/2C, 593/1, 593/2, 593/2A-593/2I, 593/3, 593/3A to 593/3K, 594/1, 594/2, 594/2A, 594/2B1 to 594/2B17, 597/2, 597/2A to 597/2C, 599, 599/1, 599/2A-599/2D, 600, 601/1, 601/2, 602/2, 602/2A to 602/2F, 602/3, 602/3A, 602/3B, 602/4, 602/4A-602/4C, 604/1, 604/1A-604/1B, 604/2, 604/3, 605/1, 605/1A-605/1D, 605/2, 606, 606/1 to 606/4, 608/1, 608/2, 609, 614, 614/1, 614/2A-614/2C, 615-617, 619, 622/2B, 623, 556, 624/1 to 624/4, 625, 627, 631/1, 631/1A to 631/1C, 631/2, 632/2, 632/2A, 632/2B, 632/4, 632/5, 633/1, 633/2, 634/1, 634/1A to 634/1C, 634/2, 634/3, 634/4, 635/2, 635/2A, 635/2B, 635/3, 636/1-636/4, 634/4A to 634/4C, 636/5, 636/6, 637/1-637/4, 558/1, 558/1A-558/1D, 558/2-558/4, 558/4A to 558/4C, 570, 570/1, 570/2, 572/1, 572/1A1-572/1A5, 572/1A6A, 572/1A6E, 572/1A6F-572/1A6F2, 572/1A7A1, 572/1A7A2, 572/1A7B, 572/1A8B, 572/1A8B, 572/1A8C-572/1A8F, 572/1B1A, 572/1B1B-572/1B1D, 572/1B2 to 572/1B31, 572/2, 572/2B1, 572/2B2, 572/2B2, 572/2B3-572/2B29, 572/3, 572/3A, 572/3B1 to 572/3B18, 572/3B19A, 572/3B19B, 572/5, 572/5A-572/52, 572/5AA, 572/5AB-572/5AK இந்த சர்வே எண்களில் உள்ள பொத்த விலத்தினம் ஏ.செ. 460.96 ஆகும்.

**ம.துரைப்பாண்டியன்,**  
அறங்காவலர் குழுத்தலைவர்

**சீ.பெருமாள்சுவாமி,**  
எம்.ஏ.,எம்.பி.,பி.எஸ்.,  
துணை ஆணையர்/செயல் அலுவலர்.

**சு.இராஜேந்திரன்-ஈ.வேல்சாமி**  
**வே.பழனிச்சாமி-ம.கோமதி**  
அறங்காவலர்கள்,

சீனத்திந்த 10.12.2005



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9. It is also evident from the records that the Temple itself had issued a No Objection Certificate in its proceedings dated 15.05.2006, bearing Reference No.Na.Ka.No.1130/2005/A1. The relevant portion of the said No Objection Certificate is extracted below:

இத்திருக்கோவிலக்குப்பாத்தியப்பட்ட பட்டிந் மாவிய  
திலங்கிள் கிளப்பாளுளம் கிராமத்திலி டிடி.193ல்படி 460 ஏக்கர் உள்ளது.  
மேற்படி இடங்களை வேறு நபர்கள் விவ்வுக பாராத்திச் செய்யாமல்  
இருக்க மதுரை உயர்நீதிமன்றத்தில் தடயாணை பெறப்பட்டிருக்கிறது. மேற்படி  
தடயாணையில் அரசு ஐயர் வீட்டு வசதி வாரியத்திற்கு தமிழ்நாடு இந்த  
சமய அறநிலையசட்டம் 22/195 விர்வு 43ன் கீழ் அனுமதிக்கப்பட்ட  
கீழ்க்கண்ட விபரப்படியான இடங்கள் ஏக்கர் 38.888 சென்டு இடம் பெற  
வில்லை.என்ற விபரத்தை தெரிவித்துக்கொள்ளப்படுகிறது.

கிராமம்...

களப்பாளுளம்

ச.ந்.வே எண்.

பரப்பளவு

622/1

7.909

622/2

1.983

622/3

0.124

618/18

2.987

619/

8.985

620/1

8.901

620/2

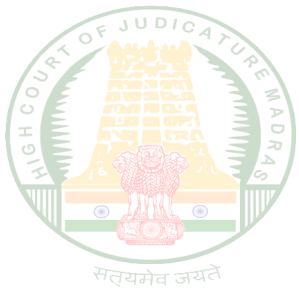
5.976

620/1

4.23

38.888

Thus, it is evident that, in respect of the very property for which the objection has now been raised, the second respondent Temple had already issued a No Objection Certificate as early as 15.05.2006.



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10. That apart, insofar as the property comprised in Survey No.619, measuring an extent of 13.58 acres out of the total extent of 38.88 acres, is concerned, this Court, in W.P.(MD)No.19520 of 2021, vide order dated 30.11.2021, has observed in paragraphs 5 to 9 as follows:

*"5. A survey was conducted in the presence of recognized surveyors to identify the land primarily the entire 13.58 acres of the Temple, the 8.85 acres sold by the Temple to the Society and also the land of the petitioner which he claims that he had purchased from the Society. The result of the survey had been stated in the written instructions forwarded by Mr.V.R.Shanmuganathan, learned counsel for the second respondent. A sketch had also been given.*

*6. I hold that it would only be appropriate that the sketch is also annexed to this order. In that sketch, the yellow marked portion is now retained by the Temple. The small pink with the black mark is the land now intended to be purchased by the petitioner herein. It is claimed that it is quite far away from the land of the Temple and that the second respondent can therefore have no objection whatsoever in that land being conveyed to the petitioner herein.*

*7. In view of the categorical statement, I would direct the first respondent to receive the sale deed which had been refused to register, re-examine the entire issue and thereafter, to proceed further in manner known to law provided that documents are otherwise in order with respect to stamp duty and registration charges.*

*8. This Writ Petition is allowed with the aforesaid direction to the first respondent to examine the sale deed whenever presented by the petitioner herein within a period of ten (10) working days from the date when it is again presented by the petitioner.*

*9. Let the petitioner present the documents after going through the normal procedure of online application of*



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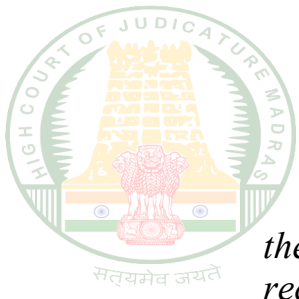
*presentation of such documents. The petitioner may also take advantage of this order and furnish a copy of this order to the first respondent/the Sub Registrar."*

11. A similar order has also been passed by this Court in respect of other properties for which the respondent Temple had already issued No Objection Certificates, in W.P.(MD)Nos.5954 of 2024 and 21737 of 2023. For the sake of clarity, it is relevant to extract paragraphs 8 to 10 of the order dated 11.09.2024 passed in W.P.(MD)Nos.5954 of 2024 and 21737 of 2023, wherein the aforesaid decision was followed. The relevant portion of the said order read as follows:

*"8. When the authorities also aware of the fact that the properties have been sold long back, merely on technical aspect, they cannot non-suit the settled issues. In view of the fact that the proceedings has already been issued by the Commissioner permitting the compromise, it has to be held that there is a deemed sanction not only for compromise but also the sale of the property, which has already been took place in the year 1975.*

*9. In such view of the matter, as the plots have already been developed and which have also been earmarked, there shall not be any direction not to register any documents hereafter in respect of above survey numbers. Merely on the basis of objection, the rights of the parties, which have already been crystallized, cannot be taken away. Therefore, the impugned refusal check slips issued by the 1<sup>st</sup> respondent are liable to be quashed.*

*10. Accordingly, the impugned refusal check slips dated 13.12.2023 and 24.08.2023 respectively issued by the 1<sup>st</sup> respondent are quashed and the Writ Petitions are allowed. The 1<sup>st</sup> respondent is directed to register the documents submitted by*



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*the petitioners, within a period of two weeks from the date of receipt of a copy of this order. There shall be no order as to costs."*

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12. Similarly, by order dated 27.07.2022 and 02.11.2022 passed in W.P.(MD)No.12620 of 2022 and W.P.(MD)No.21746 of 2022, respectively, this Court issued directions in respect of the following survey numbers:-

| Sl. No. | Petitioner's Name | W.P.(MD)No.   | Survey No.                               |
|---------|-------------------|---------------|------------------------------------------|
| 1.      | Kalyanasundaram   | 12620 of 2022 | Survey No. 438A/1A1A, Re-Survey No.622/1 |
| 2.      | Duraipandian      | 21746 of 2022 | Survey No.747/12                         |

Thus, the overwhelming documentary evidence on record indicates that there cannot be any serious objection to the registration of the subject document.

13. Accordingly, I am inclined to dispose of this Writ Petition by directing the first respondent to exercise the powers conferred under Section 84(2) of the Registration Act, 1908, and consider the petitioner's request for registration in the light of the aforesaid documents and in accordance with law. It is open to the petitioner to produce copies of the



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above-mentioned documents before the first respondent in support of his claim for registration.

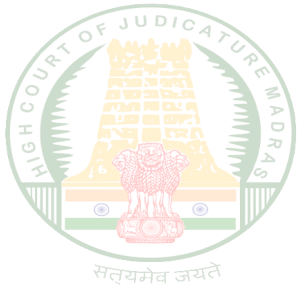
**14.** The Writ Petition stands disposed of accordingly. No costs.

NCC : Yes / No  
smn2

16.07.2026  
(2/3)

To

- 1.The Sub Registrar,  
Sub Registrar Office,  
Sankarankovil,  
Tenkasi District.
- 2.The Assistant Commissioner / Executive Officer ,  
Arulmigu Sankaranarayanawamy Temple,  
Sankarankovil, Tenkasi District.
- 3.The Commissioner,  
Hindu Religious and Charitable Endowments Department,  
No.119, Uthamar Gandhi Salai,  
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**C.SARAVANAN, J.**

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(2/3)