



W.P(MD)No.4077 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 22.02.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.4077 of 2024

V.Subramanian

... Petitioner

Vs.

1.The District Registrar,
Dindigul Registration District,
Dindigul District.

2.The Joint Sub Registrar No.II,
Joint Sub Registrar Office,
Dindigul,
Dindigul District.

3.Gobi

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the first respondent to initiate enquiry proceeding and to cancel the document of Trust deed dated 22.07.2020 in Document No.21/2020 on the file of the second respondent in accordance with law by considering the petitioner's representation dated 30.10.2023 within a stipulated period as framed by this Court.



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For Petitioner : Mr.J.David Ganesan

For Respondents : Mr.M.Senthil Ayyanar
Government Advocate for R.1 & R.2

ORDER

Heard the learned counsel appearing for the writ petitioner and the learned Government Advocate appearing for the official respondents.

2.It is stated that the third respondent herein has formed a trust in the name and style of Chinnapallapatty Sri Salai Santhana Karuppanaswamy and Sri Kali Bhavani Amman Temple Trust. The trust deed dated 22.07.2020 was also registered. The petitioner wants the first respondent to cancel the same.

3.My attention has not been drawn to any provision by which the first respondent can do so. Be that as it may, mere formation and registration of trust deed will not confer any right on the third respondent. If the third respondent under the guise of trustee of the said trust attempts to interfere with the administration of the petition



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mentioned temple, it is always open to the petitioner to move the jurisdictional civil Court for obtaining the relief of injunction.

4.The learned counsel appearing for the petitioner states that such an injunction decree has already been passed. If the injunction decree is breached, the petitioner can move the executing Court for punishing the violator. I am therefore of the view that since the petitioner's rights are otherwise well protected, the question of directing the first respondent to cancel the petition mentioned trust deed does not arise at all. I make it clear that the dismissal of this writ petition will not come in the way of the petitioner from establishing his rights in the manner known to law.

5.With this liberty to the writ petitioner and with the aforesaid observations, this writ petition is dismissed. There shall be no order as to costs.

22.02.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
MGA

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G.R.SWAMINATHAN, J.

MGA

To

- 1.The District Registrar,
Dindigul Registration District,
Dindigul District.
- 2.The Joint Sub Registrar No.II,
Joint Sub Registrar Office,
Dindigul,
Dindigul District.

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