



WEB COPY



W.P.No.11627 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 01.09.2025

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P. No.11627 of 2020

and

WMP.No.14257 of 2020

Krishnamurthi

... Petitioner

-Vs-

1. The Sub-Registrar,
Kurinjipadi,
Kurinjipadi Taluk,
Cuddalore District.
 2. The Commissioner,
Hindu Religious & Charitable
Endowment Department,
Nungambakkam High Road,
Nungambakkam,
Chennai – 600 034.
 3. The Assistant Commissioner,
Hindu Religious & Charitable
Endowment Department,
Cuddalore – 607 001.
 4. The Vendor,
Sri Selvavinayagar Koil and
Sri Angalaparameswari Koil,
Ellappanpettai, Kurinjipadi Taluk,
Cuddalore District.
- (R4 Suo-motu impleaded vide order



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dt 27.08.2020 made in
W.P.No.11627 of 2020)

... Respondents

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Prayer:- Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus, call for the records and quash the proceedings of the third respondent in his Pa.Mu.No.2893/2019/Aa2 dated 03.05.2019 and consequently direct the first respondent to register the sale deed dated 28.07.2009 in the name of the petitioner in respect of 2200 sq. ft in New S.No.376/6, Old S.No.739/1 bearing plot No.73 in Thiruppurkumaran Nagar, Ellanpanpettai Village, Kurinjipadi Taluk, Cuddalore District and pass orders.

For Petitioner : Mr.D.Baskar
For Respondents : Mr.K.Karthikeyan,
Government Advocate (HR & CE)
for R2 & R3
: Mr.V.Baranidharan
Special Government Pleader for R1

ORDER

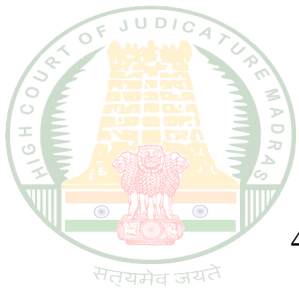
This Writ Petition has been filed to quash the proceedings of the third respondent in his Pa.Mu.No.2893/2019/Aa2 dated 03.05.2019 and direct the first respondent to register the sale deed dated 28.07.2009 in the name of the petitioner in respect of 2200 sq. ft in New S.No.376/6, Old S.No.739/1 bearing plot No.73 in Thiruppurkumaran Nagar, Ellanpanpettai Village, Kurinjipadi Taluk, Cuddalore District.



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3. The learned counsel for the petitioner would submit that it is a denominational temple and the fourth respondent is authorized to alienate the property to the private individuals.



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4. Per contra, the learned Government Advocate (HR & CE) for the second and third respondents submitted that even if it is a denominational temple, the fourth respondent has no power to alienate the property and such alienation should be made only for the interest of the Institution, that too, after getting necessary permission from the concerned Authority/Government as per Section 34 of HR & CE.

5. In view of Section 34 of HR & CE Act, it is mandatory to get permission from the HR & CE before alienating the property for the purpose stated therein. Hence, this petition is liable to be dismissed.

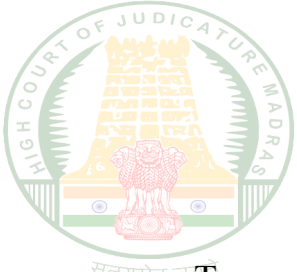
Accordingly, this Writ petition is dismissed. Consequently, connected miscellaneous petition is closed. No costs.

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Index : Yes/No

Speaking/Non-speaking order



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M.DHANDAPANI. J.,

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