

W.P. No.19215 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED : 11.06.2025

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THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P. No.19215 of 2025

and

W.M.P. No.21511 of 2025

Helana Chellamani Charity Foundation Trust
Rep. by its President-cum-Treasurer,
S.Harish Kumar, Reg. No.67/2003,
Regd. Office No.123/24,
Gandhinagar, III Cross,
Krishnagiri-635 001.
and also at No.33, Win Nagar,
12th Cross Kattur, Trichy-620 019.

Petitioner(s)

Vs

The Joint Sub-Registrar No.1,
Office of the Joint Sub-Registrar No.1,
Krishnagiri.

Respondent(s)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned order of the respondent in Refusal Check Slip RFL/1 No. Joint Sub Registrar Krishnagiri /25/2025 dated 04.04.2025 quash the same and consequently to forthwith direct the respondent herein to register the sale deed dated 26.03.2025 presented by the petitioner.

For Petitioner(s) : Ms.T.Dharani

For Respondent(s) : Mr.U.Baranidharan
Special Government Pleader



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ORDER

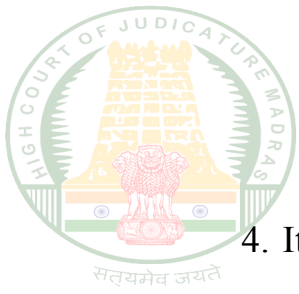
By consent of learned counsel on both sides, this writ petition is taken up for final disposal at the admission stage itself.

2. The present writ petition is filed praying for a writ of certiorarified Mandamus calling for the records relating to the impugned order of the respondent in Refusal Check Slip RFL/1 No. Joint Sub Registrar Krishnagiri /25/2025 dated 04.04.2025 quash the same and consequently to forthwith direct the respondent herein to register the sale deed dated 26.03.2025 presented by the petitioner.

3. It was pointed out by the learned counsel for respondents that the writ petition, itself is ill-conceived inasmuch as the Trust in question is a public trust as would be evident from the trust deed, which reads as under:

“Witnesseth as under:

Whereas the founder of the trust in pursuance of his desire to help the poor and needy people of his mother land, has created this independent Public Charitable Trust wholly for charitable purposes.”



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4. It is further stated by the learned counsel for respondents that the writ petition has been filed on an erroneous assumption that the petitioner Trust is a Private Charitable Trust as could be seen from the petitioner's averment contained in the affidavit.

5. On this being pointed out, the learned counsel for petitioner would submit on instructions that the petitioner Trust is in fact a Public Trust. Therefore, it is suggested by the learned counsel for respondents that the petitioner may have to obtain orders of the Civil Court before effecting any sale of the property belonging to a Public Trust. Agreed to by the learned counsel for petitioner.

6. In view thereof, the writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

11.06.2025

Speaking (or) Non Speaking Order

Index : Yes/ No

Neutral Citation: Yes/No

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MOHAMMED SHAFFIQ, J.

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To:
The Joint Sub Registrar No.1,
Office of the Joint Sub Registrar No.1,
Krishnagiri.

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