



W.P. No.31546 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.08.2025

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P. No.31546 of 2025
and
W.M.P. No.35334 of 2025

1.V.Madhan Kumar

2.R.Varatharaj

Petitioner(s)

Vs

1.The District Registrar (Administration),
District Registrars Office,
Coimbatore South, Coimbatore 641 012.

2.The Sub Registrar,
Kinathukadavu Sub Registrar Office,
Kinathukadavu Coimbatore.

3.The Commissioner,
Hindu Religious and Charitable Endowments
Department, No.119 Uthamar Gandhi Salai,
Nungambakkam, Chennai-34.

4.The Assistant Commissioner,
Hindu Religious and Charitable Endowments
Department, Coimbatore 641 018.

Respondent(s)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus call for the records of the 2nd respondent Na.No. 201/ 2025 dated 4.08.2025 quash the same and consequently



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direct the 2nd respondent to number the sale date registered on 11.06.2025 in favour of the petitioners pending document No.P123 of 2025 on the file of the 2nd respondent and return the same to the petitioners.

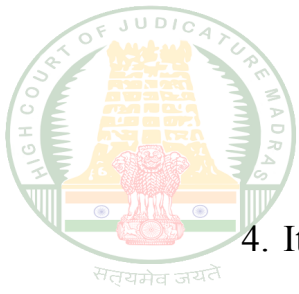
For Petitioner(s) : Mr.K.Magesh
For Respondent(s) : Mr.Abishek Murthy
1 & 2 Government Advocate
For R3 & R4 Mr.K.Karthikeyan
Government Advocate (HR & CE)

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 challenging the proceedings dated 04.08.2025 whereby the petitioner has been directed to obtain a No Objection Certificate (NOC) from the Commissioner, HR & CE Department i.e., 3rd respondent herein.

3. It is submitted by the learned counsel for petitioner that they have already obtained a clarification regarding temple land from 4th respondent vide proceedings dated 22.09.2023. What is sought to be conveyed/ transferred is property comprised in Survey Nos.892/2 and 892/6.



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4. It is submitted that survey numbers 898/3 and 898/5 mentioned in the sale deed pending document No.P123 of 2025 on the file of 2nd respondent, is a common passage/ well used by Temple as well as the petitioner. It is further submitted that the sale deed only contains a recital with regard to such common use of passage and Well and is not sought to be conveyed. It is only the above lands comprised in Survey Nos.898/3 and 898/5, which is the subject matter of clarification vide letter dated 22.09.2023.

5. At the outset, it is submitted by learned counsel for respondents 3 and 4 that they may not have any objection if the property comprised in Survey Nos.892/2 or 898/6 is sought to be conveyed inasmuch as temple has no title/right/interest over the same. With regard to property comprised in Survey Nos.898/3 and 898/5 is concerned, it may be continued to be used as a common pathway and Well by the Temple and petitioner/ his purchasers.

6. In view thereof, the impugned order is set-aside. It is open to the petitioner to represent the sale deed 2nd respondent shall conduct an enquiry with the petitioner and respondents 3 and 4 and proceed to register the sale deed by the appropriate authority, if it is otherwise in order within a period of four weeks from today. If for any reason the same is rejected, the appropriate authority may



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do so after assigning reasons for such refusal.

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7. Writ petition stands disposed of with the above directions. No costs.

Consequently, connected miscellaneous petition is closed.

29.08.2025

Speaking (or) Non Speaking Order

Index : Yes/ No

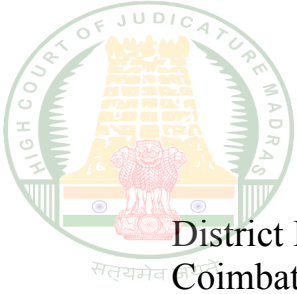
Neutral Citation: Yes/No

mka

To:

1.The District Registrar (Administration),

4/12



W.P. No.31546 of 2025

District Registrars Office,
Coimbatore South, Coimbatore 641 012.

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- 2.The Sub Registrar,
Kinathukadavu Sub Registrar Office,
Kinathukadavu Coimbatore.
- 3.The Commissioner,
Hindu Religious and Charitable Endowments
Department, No.119 Uthamar Gandhi Salai,
Nungambakkam, Chennai-34.
- 4.The Assistant Commissioner,
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Department, Coimbatore 641 018.



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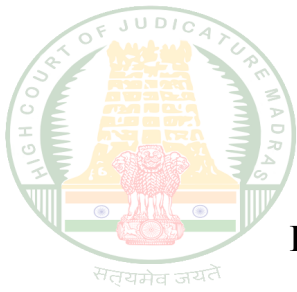
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MOHAMMED SHAFFIQ, J.

mka

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W.P. No.31546 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 12.09.2025

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P. No.31546 of 2025

and

W.M.P. No.35334 of 2025

1.V.Madhan Kumar

2.R.Varatharaj

Petitioner(s)

Vs

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direct the 2nd respondent to number the sale date registered on 11.06.2025 in favour of the petitioners pending document No.P123 of 2025 on the file of the 2nd respondent and return the same to the petitioners.

For Petitioner(s)	: Mr.K.Magesh
For Respondent(s) 1 & 2	: Mr.Abishek Murthy Government Advocate
For R3 & R4	Mr.K.Karthikeyan Government Advocate (HR & CE)

ORDER

Today, the case is listed under the caption "for being mentioned" at the instance of the learned counsel for the petitioner.

2. It is submitted by the learned counsel for petitioner that the writ petition was disposed of vide order dated 29.08.2025 and seeks clarification with regard to date of letter mentioned in paragraph Nos.3 and 4 of the order and requests that the said date "22.09.2023" may be replaced with "23.01.2025" in the said paragraphs. He also seeks omission of a line in paragraph No.6 of the order i.e."It is open to the petitioner to represent the sale deed"

3. The learned counsel for respondents submitted that he has no objection to the above submission of the learned counsel for petitioner.



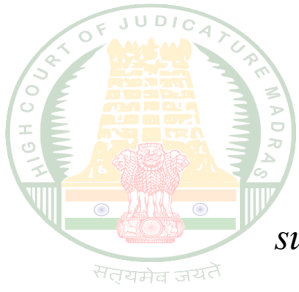
WEB COPY 4. Heard both sides.

5. In view of the said submission made by the learned counsel for petitioner, paragraph Nos. 3, 4 and 6 of the order in W.P.No.31546 of 2025 dated 29.08.2025, are substituted with the following paragraph:

“3. It is submitted by the learned counsel for petitioner that they have already obtained a clarification regarding temple land from 4th respondent vide proceedings dated 23.01.2025. What is sought to be conveyed/transferred is property comprised in Survey Nos.892/2 and 892/6.

4.It is submitted that survey numbers 898/3 and 898/5 mentioned in the sale deed pending document No.P123 of 2025 on the file of 2nd respondent, is a common passage/ well used by Temple as well as the petitioner. It is further submitted that the sale deed only contains a recital with regard to such common use of passage and Well and is not sought to be conveyed. It is only the above lands comprised in Survey Nos.898/3 and 898/5, which is the subject matter of clarification vide letter dated 23.01.2025.

6. In view thereof, the impugned order is set-aside. The 2nd respondent shall conduct an enquiry with the petitioner and respondents 3 and 4 and proceed to register the sale deed by the appropriate authority, if it is otherwise in order within a period of four weeks from today. If for any reason the same is rejected, the appropriate authority may do so after assigning reasons for



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such refusal."

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6. Except the above modification, all other paragraphs made in the earlier order dated 29.08.2025 shall remain intact. Registry is directed to carry out necessary corrections and issue the corrected order copy to the parties forthwith.

12.09.2025

Speaking (or) Non Speaking Order

Index : Yes/ No

Neutral Citation: Yes/No

mrn

To:

1.The District Registrar (Administration),
District Registrars Office,
Coimbatore South, Coimbatore 641 012.

2.The Sub Registrar,
Kinathukadavu Sub Registrar Office,

10/12



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Kinathukadavu Coimbatore.

3.The Commissioner,
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4.The Assistant Commissioner,
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