



W.P(MD)No.9023 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 08.08.2025

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.9023 of 2024

and

W.M.P.(MD)No. 8214 of 2024

Shree Nacharammal Trust,

Represented Through its Chairman and Managing Trustee,

D.Tamil Ganesan,

Palgalai Nagar, Vadapalanchi,

Madurai-625 021.

... Petitioner

Vs.

1. The District Revenue Officer,

Madurai District,

Madurai.

2. The District Registrar,

Madurai North Registration District,

Madurai.

3. The Sub Registrar,

Registration Department,

Karuppaurani, Madurai District.



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4. The Joint Commissioner,

Hindu Religious and Charitable Endowment Department,
Madurai.

5. The Inspector of Hindu Religious and Charitable Endowment Department,
Madurai North, Madurai.

6. The Executive Officer,
Arulmighu Kallalagar Thirukovil,
Alagarkovil, Madurai District.

...Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the refusal check slip No. RFL/Karuppaurani/89/2023 dated 26.12.2023 pertaining to the sale agreement deed dated 22.12.2023 presented for registration on 26.12.2023 by the petitioner before the 3rd respondent and to quash the same as illegal, without jurisdiction and consequently, to direct the 3rd respondent to register the document and release the same without reference to the objection letter dated 09.02.2011 made by the 4th respondent within the time limit as fixed by this Court.

For Petitioner : Mr.R.Aravindan

For R1 to R3 : Mr.S.Saji Bino
Special Government Pleader

For R4 & R5 : Mr.S.Madhavan

For R6 : Mr.S.Manohar



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ORDER

The present Writ Petition has been filed for the issuance of Writ of Certiorarified Mandamus, to quash the impugned refusal check slip No. RFL/Karuppaurani/89/2023 dated 26.12.2023 pertaining to the sale agreement deed dated 22.12.2023 presented for registration on 26.12.2023 by the petitioner before the 3rd respondent and consequently, to direct the 3rd respondent to register the document and release the same without reference to the objection letter dated 09.02.2011 made by the 4th respondent within the time limit as fixed by this Court.

2. The contention of the petitioner is that the land belongs to the petitioner Trust. The petitioner presented the sale deed, dated 22.12.2023, before the 3rd respondent. However, the 5th respondent has submitted that there is an objection letter against the registration. Therefore, based on the objection letter, the 3rd respondent refused to register the same and issued the impugned refusal check slip.

3. It is seen in the objection letter was issued by Inspector of HR&CE vide Na.Ka.No.20/10 dated 09.02.2011 stating the properties belong to temple. On the other hand, the contention of the petitioner is that the properties are not belonging to any temple but it belongs to Trust. The Trust was created by the



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ancestors of the hereditary trustee for doing Mandagapadi during Chitirai festival of Kallagar of Alagarkovil. The further contention of the petitioner is that there is only charge over the properties, hence they have every right to sell the property.

4. After hearing the rival submissions, this Court is of the considered opinion that if a charge is created on the trust properties for doing Mandagapadi during Chitirai festival of Kallagar of Alagarkovil, then it is settled proposition that the said property does not belong to the temple but it belongs to the Trust to do Mandagapadi. Further it is seen that the objection letter was issued as early as 09.02.2011, thereafter the temple or the HR&CE officials had not initiated any proceedings to declare the property belong to the temple. By making simple objections the HR&CE officials cannot claim right over the property. Consequently, based on the said objection the respondent cannot refuse to register the property. In such circumstances, the refusal slip is erroneous and liable to be quashed and accordingly quashed.

5. In future if the HR&CE officials are initiating any proceeding, the same shall be as per law and the petitioner is at liberty to protect their rights as per law.

6. For the reasons stated supra, the impugned order is quashed and



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the respondents are directed to register the document if it is otherwise in order.

The said exercise may be completed within a period of six weeks from the date of receipt of the copy of this order.

7. With the above said observations, the writ petition is allowed.

There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

08.08.2025

NCC : Yes / No

Index : Yes / No

Internet : Yes

Tmg

To

1. The District Revenue Officer,
Madurai District,
Madurai.

2. The District Registrar,
Madurai North Registration District,
Madurai.

3. The Sub Registrar,
Registration Department,
Karuppaurani,
Madurai District.



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S.SRIMATHY, J.

Tmg

**ORDER MADE IN
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DATED : 08.08.2025