



W.P.(MD) No.17672 of 2025

BEFORE THE MADURAI BENGH OF MADRAS HIGH COURT

DATED: 16.12.2025

CORAM

THE HONOURABLE MR. JUSTICE KRISHNAN RAMASAMY

W.P.(MD)No.17672 of 2025

Pitchammal

... Petitioner

Vs.

1.The Special Commissioner and Commissioner,
Hindu Religious and Charitable Endowments Department,
Chennai – 14.

2.The Joint Commissioner,
Sri Renganatha Swami Temple,
Hindu Religious and Charitable Endowment Department,
Srirangam,
Trichy.

3.The Sub Registrar,
Sub Registrar Officer,
Srirangam.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call



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for the records relating to the impugned refusal check slip and impugned refusal order passed by the third respondent in her proceedings Refusal Check Slip Refusal No.RFL/Srirangam/75/2025 and Refusal order in Na.Ka.No.29/2025 dated 17.06.2025 and quash the same as illegal and consequently direct the third respondent to register the Sale deeds or settlement deeds or MOD or any other documents when it presented for registration by the petitioner with respect to the subject property bearing in T.S.No.1810 an extent of 25,682 Sq.ft of land in ward -II, Block No.34 and the land in T.S.No.1805/A3 an extent of 1,568 sq.ft in Ward-II, Block No.34 and the land in T.S.No.2796, an extent of 6578 sq.ft of land in Ward – II, Block No.65 in T.D. No.1102 at measuring total an extent of 33,828 sq.ft and out of property described above an extent of 4008 sq.ft in C-Block in which 334 sq.ft of undivided 1/12th share in land for residential flat constructed bearing Flat No.37-G in C-Block having a super plinth area of 1180 sq.ft in the Ground Floor in the complex known as “Gopalakrishna Apartments” situated at Chairman Kodiyalam Vasudeva Iyengar Nagar, Nethaji Street, Vellithirumutham Village, Srirangam Taluk, Trichirappalli District, without insisting No Objection Certificate from the first and second respondent.



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For Petitioner : Mr.K.Mahendran
For Respondents 1 & 3 : Mr.V.Om.Prakash
Government Advocate
For Respondent No.2 : Mr.M.Saravanan

ORDER

Challenge has been made against the impugned refusal check slip issued by the third respondent vide proceedings dated 17.06.2025.

2.Learned Counsel for the petitioner would submit that originally the subject properties were a “Coconut Thope”, which belonged to one Kodiyalam Vsudeva Iyengar. After his demise, his legal heirs devolved the subject properties along with other family properties vide partition deed. The subject properties were thereafter allotted to one K.V.Rengasamy Iyengar, one of the legal heirs of Kodiyalam Vasudeva Iyengar, who in turn executed a power of attorney deed in favour of one G.Govindarajan. The said power holder developed the subject properties by constructing an apartment in the name “Gopalakrishna Apartment”, which was constructed by Chitra Constructions Pvt. Ltd. Thereafter, the power holder G.Govindarajan, on behalf of his Principal executed a sale



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deed in favour of one Shankararaman, who in turn sold the same to the vendor of the petitioner namely Lakshminarayanan. Now, the petitioner intending to purchase the said property has presented a sale deed before the third respondent on 17.06.2025, which came to be refused to be registered, citing the reason that the subject properties belong to the second respondent temple. Hence, the present Writ Petition.

3. Learned Counsel for the petitioner would also submit that in similar circumstances, the Writ Petitions filed by the builder and one of the purchaser in W.P.(MD)No.622 of 2025 and W.P.(MD)No. 6932 of 2025, dated 24.01.2025 and 18.03.2025, respectively came to be allowed. It is further submitted that no appeals have been preferred as against those orders. Hence, he prays for appropriate orders.

4. Learned Government Advocate for the Sub-Registrar submitted that since they received a letter from the second respondent stating that the subject properties belong to the second respondent temple, there is a bar for the registering authority to register any document relating to the subject properties and therefore, they are not in a position to consider the same.



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5.Learned Counsel for the second respondent has filed a counter affidavit and the relevant portions of the said counter are extracted hereunder:

“3.I further state that insofar as the land in T.S.No.1805/A3 is concerned the Inam Fair Register of the year 1865 shows that the lands mentioned in T.D.No.1102 namely paimash No. 144 correlating to O.S.No.221/1 and 221/2 (this old survey No.221/1 has been mentioned in the partition deed dated 15.10.1925 as charity property and in F-Schedule which also mentions as charity property). I further state that the said O.S.No.221/1 is classified as T.S.No. 1805/A3. I state that the land in T.S.No.1805/A3 which is said to be part of the sale deed purchased by the petitioner herein is situate in Vellithirumutham Village (Srirangam) as per the revenue records, however, in the sale deed of the petitioner and in the parent documents it is shown as if T.S.No.1805/A3 is situate in Dhimarayasamudiram Village which itself is false. This aspect that the property in T.S.No. 1805/A3 is situate in Vellithitumutham Village has been mentioned in paragraph 11 of the affidavit filed by the petitioner in the present writ petition. However, in order to have the



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property registered without objection, the land in T.S.No.1805/A3 has been shown to be situate in Dhimmarayasamudiram Village.

4.I state that it is an admitted fact that the lands mentioned in the above T.S.Nos. 1805/A3 are Inam lands and even as per the averments in the affidavit, the petitioner claims that the patta has been granted in the name of Vasudeva Iyengar and others under the Madras Minor Inams (Abolition and Conversion in to Ryotwari) Act, 30/1963 by the Settlement Tahsildar on 21.08.1969. However, in the said order of the Settlement Tahsildar, there is no recording to show that the Religious Institution or the Commissioner, HR & CE have been served with notices as required under 11(2)(ii) of Act 30 of 1963. On this ground alone it is contended that the order of the Settlement Tahsildar does not bind the religious institution when the properties are dedicated for performance of religious charities at Ranganathaswamy Devasthanam. I further state that the Inam Fair Register specifically mentions that the garden in paimash No.144 has been dedicated by the then Ruler Setarbar Khan under Inayatnama of the year 1775 A.D. Corelatng to Hijiri 1189 (Islamic Calendar)."



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6. Heard the learned Counsel on either side and perused the materials available on record.

7. This Court, on an earlier occasion in a Writ Petition filed by the builder in W.P.(MD)No.622 of 2025 dated 24.01.2025, held that the second respondent temple cannot claim right over the subject properties without producing any valid documents and permitted the builder to sell the properties. Since the issue on hand is identical to the aforesaid Writ Petition, the order impugned herein is also liable to be set aside.

8. Accordingly, the impugned refusal check slip dated 17.06.2025 is hereby set aside and the third respondent is directed to register the sale deed presented by the petitioner dated 17.06.2025, immediately once it is re-presented, subject to fulfilment of all other requirements. If at the second respondent temple claims title over the subject property, they are at liberty to approach the appropriate forum, in accordance with law.



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9.Accordingly, this Writ Petition stands disposed of. There shall be no order as to costs.

16.12.2025

Index: Yes/No

Internet: Yes/No

Neutral Citation: Yes/No

MR



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To

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KRISHNAN RAMASAMY, J.

MR

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