



W.A(MD)No.112 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 11.06.2025

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

W.A(MD)No.112 of 2023

Thirunagar Co-operative Housing Construction
Society Limited, Thirunagar,
Represented by its Secretary,
Madurai.

... Appellant /
3rd Respondent

Vs.

1.The Commissioner,
Hindu Religious & Charitable Endowments,
No.119, Uthamar Gandhi Salai,
Nungambakkam, Chennai – 34.

2.The Deputy Commissioner /
Executive Officer,
Arulmigu Subramaniaswami Thirukovil,
Thirupparakundram,
Madurai – 625 002.

... Respondents 1 & 2 /
Respondents 1 & 2

3.The Sub Registrar,
Office of the Sub Registrar,
Thirupparakundram,
Madurai – 5.

... 3rd Respondent /
4th Respondent



4.K.Radha

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... 4th Respondent /
Writ Petitioner

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent to set aside the order made in W.P(MD)No.12017 of 2018 dated 25.08.2022 by allowing the Writ Appeal.

For Appellant : Mr.S.Kumar

For Respondents : Mr.P.Subbaraj
Special Government Pleader
for R.1 & R.3

Mr.V.Chandrasekar for R.2

Mr.R.Aravindan for R.4

JUDGMENT

(Judgment of the Court was made by **G.R.Swaminathan J.**)

Heard both sides.

2.One K.Radha filed W.P(MD)No.12017 of 2018 for directing the Commissioner of HR&CE to delete the petition mentioned land from the property register of Arulmigu Subramanisamy Temple, Thiruparankundram and for a direction that the temple management should issue “No Objection Certificate” to enable the writ petitioner to deal with the property. The writ petition was dismissed by the learned single Judge vide order dated 25.08.2022



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and no appeal has been filed by Radha. It is only Thirunagar Co-operative Housing Construction Society Limited in which Radha's husband was a member, that has filed this appeal.

3.The learned Standing Counsel appearing for the Society states that some of the observations made by the learned single Judge would operate prejudicially against the appellant's title.

4.We make it clear that any observations made in the Writ Petition regarding title shall not be treated as final. While we confirm the dismissal of the Writ Petition, we permit the parties concerned including the appellant herein to establish their rights in the manner known to law.

5.With the aforesaid observation and liberty, this Writ Appeal stands dismissed. There shall be no order as to costs.

[G.R.S., J.] [K.R.S., J.]
11.06.2025

NCC : Yes / No
Internet : Yes / No
Index : Yes / No
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G.R.SWAMINATHAN, J

and

K.RAJASEKAR, J.

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