

W.P(MD)No.25105, 25106, 25107, 25108, 25109, 25110,
25111, 25112, 25113 of 2016 and 89, 90, 91 and 3664 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
WEB COPY

DATED : 19.06.2025

CORAM:

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

**W.P(MD)Nos.25105, 25106, 25107, 25108, 25109, 25110, 25111,
25112, 25113 of 2016 and 89, 90, 91 and 3664 of 2017**

For W.P.(MD)No.25105 to 25113 of 2016 and 89 to 3667 of 2017

- | | |
|--------------------|---|
| 1.S.Sathiyamoorthi | ... Petitioner
in W.P.(MD)No.25105 of 2016 |
| 2.T.Palaniammal | ... Petitioner
in W.P.(MD)No.25106 of 2016 |
| 3.G.Dhanalakshmi | ... Petitioner
in W.P.(MD)No.25107 of 2016 |
| 4.K.Tamilselvi | ... Petitioner
in W.P.(MD)No.25108 of 2016 |
| 5.R.Saravanan | ... Petitioner
in W.P.(MD)No.25109 of 2016 |
| 6.V.Saraswathi | ... Petitioner
in W.P.(MD)No.25110 of 2016 |
| 7.K.Nandagopal | ... Petitioner
in W.P.(MD)No.25111 of 2016 |



W.P(MD)No.25105, 25106, 25107, 25108, 25109, 25110,
25111, 25112, 25113 of 2016 and 89, 90, 91 and 3664 of 2017

WEB COPY

8.K.P.Thangavelu

... Petitioner
in W.P.(MD)No.25112 of 2016

9.V.Palanichamy

... Petitioner
in W.P.(MD)No.25113 of 2016

10.P.Balusamy

... Petitioner
in W.P.(MD)No.89 of 2017

11.V.Lakshmi

... Petitioner
in W.P.(MD)No.90 of 2017

12.V.Ramasamy

... Petitioner
in W.P.(MD)No.91 of 2017

13.P.Srinivasan

... Petitioner
in W.P.(MD)No.3664 of 2017

Vs

1. The Special Commissioner,
Hindu Religious and Charitable Endowments Department,
Nungambakkam High Road,
Chennai - 600 034.

2. The Inspector General Of Registration,
Santhome High Road,
Chennai - 600 004.

3. The Sub Registrar No.II,
Registration Department,
Karur.



W.P(MD)No.25105, 25106, 25107, 25108, 25109, 25110,
25111, 25112, 25113 of 2016 and 89, 90, 91 and 3664 of 2017

4.The Executive Officer,
Arulmighu Balasubramania Swamy Temple,
Vennaimalai,
Manmangalam Taluk,
Karur District - 639 006.

... Respondents
(For all petitions)

*(*R4 impleaded by this Court
vide order dated 19.06.2025 made in
W.M.P(MD)Nos.8866, 8869, 8820, 8822, 8817,
8868, 8870, 8821, 8825 of 2024 and 8862, 8818,
8871 and 8824 of 2024)*

**COMMON PRAYER for W.P(MD)No.25105 to 25113 of 2016 and 89
to 91 of 2017:** Writ Petitions filed under Article 226 of the Constitution
of India, praying this Court to issue a Writ of Mandamus directing the
3rd respondent to registrar the document relating to the petitioner land in
Survey No. 239/3 situated at Kadapparai Village, Karur Taluk and
District.

PRAYER for W.P(MD)No.3664 of 2017: Writ Petition filed under
Article 226 of the Constitution of India, praying this Court to issue a Writ
of Mandamus directing the 3rd respondent to registrar the document
relating to the petitioner land in Survey No. 239 situated at Kadapparai
Village, Karur Taluk and District.



WEB COPY



W.P(MD)No.25105, 25106, 25107, 25108, 25109, 25110,
25111, 25112, 25113 of 2016 and 89, 90, 91 and 3664 of 2017

For Petitioners : Mr.N.Subramani
(For all petitions)

For Respondent : Mr.P.Subbaraj (R1)
Special Government Pleader
(For all petitions)

: Mr.S.P.Maharajan (R2 & R3)
Special Government Pleader
(For all petitions)

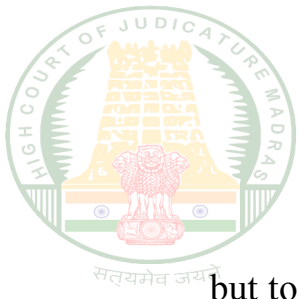
: Mr.S.Madhavan (R4)
(For all petitions)

ORDER

[Order of the Court was made by S.M.SUBRAMANIAM, J.]

The writ of mandamus has been instituted to direct the third respondent/Sub Registrar to register the document relating to the petitioners' land in S.NO.239/3 and 239 respectively situated at Kadapparai Village, Karur Taluk and District.

2.The relief sought for deserves no merit consideration since the document presented before the Sub Registrar under the Registration Act is to be scrutinized and if the documents presented is otherwise in order and the requirements are complied with, then the Registrar has no option



W.P(MD)No.25105, 25106, 25107, 25108, 25109, 25110, 25111, 25112, 25113 of 2016 and 89, 90, 91 and 3664 of 2017

WEB COPY

but to register the document. The procedures are contemplated under the Registration Act and the rules framed thereunder. Therefore, the relief as such sought for is not entertainable. The petitioners in the event of presenting any document for registration is to be scrutinized and appropriate decision is to be taken by the registering authority by strictly following the provisions of the Act and Rules in force.

3.The newly impleaded fourth respondent would submit that the subject property belongs to temple and patta stands in the name of the temple.

4.In this context, it is relevant to refer Section 22-A of the Registration Act, 1908 which deals with refusal to register certain documents Sub Section 1 (ii) of the Act contemplates that the Registering Officer shall refuse to register if the property is belonging to, or given or endowed for the purpose of, any religious institution to which the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959 is applicable.



W.P(MD)No.25105, 25106, 25107, 25108, 25109, 25110,
25111, 25112, 25113 of 2016 and 89, 90, 91 and 3664 of 2017

WEB COPY

5.It is needless to say that the registering authority while scrutinizing the document has to verify whether the property is also falling under any of these category, where power to refuse is to be exercised under the provisions of the Act.

6.With the above observations, these writ petitions stand dismissed. There shall be no order as to costs.

[S.M.S., J.]

[A.D.M.C., J.]

19.06.2025

Index:Yes/No
Internet:Yes/No
NCC:Yes/No
LR

To

1. The Special Commissioner,
Hindu Religious and Charitable Endowments Department,
Nungambakkam High Road,
Chennai - 600 034.

2. The Inspector General Of Registration,
Santhome High Road,
Chennai - 600 004.



W.P(MD)No.25105, 25106, 25107, 25108, 25109, 25110,
25111, 25112, 25113 of 2016 and 89, 90, 91 and 3664 of 2017

3. The Sub Registrar No.II,
Registration Department,
Karur.



WEB COPY



W.P(MD)No.25105, 25106, 25107, 25108, 25109, 25110,
25111, 25112, 25113 of 2016 and 89, 90, 91 and 3664 of 2017

S.M.SUBRAMANIAM, J.
and
DR.A.D.MARIA CLETE, J.

LR

W.P(MD)No.25105, 25106, 25107, 25108, 25109,
25110, 25111, 25112, 25113 of 2016 and
89, 90, 91 and 3664 of 2017

19.06.2025