



W.P(MD)No.25822 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.11.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.25822 of 2025

S.Karthikeyan

... Petitioner

Vs.

- 1.The Sub Registrar,
Thiruparankundram,
Thiruparankundram Taluk,
Madurai.
- 2.The Assistant Commissioner,
Hindu Religious and Charitable Endowments Board,
Madurai District.
- 3.The Executive Officer / Assistant Commissioner,
Arulmigu Subramaniya Swamy Thirukovil,
Thiruparankundram,
Madurai.
- 4.The Tahsildar,
Thiruparankundram Taluk,
Madurai.
- 5.P.Arumugam
- 6.P.Sivakumar
- 7.The Inspector General of Registration,
No.100 Santhome High Road,
Chennai 600 028.
(R7 is suo motu impleaded vide order dated 22.09.2025
in W.P.(MD)No.25822 of 2025 by GRSJ)



W.P(MD)No.25822 of 2025

8. The District Revenue Officer,
Madurai.
(R8 is suo motu impleaded vide order dated
11.11.2025 by GRSJ)

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order of the first respondent impugned Check Slip No.RFL/Thirupurakundram/8/2025, dated 06.09.2025 and quash the same and consequently, direct the first respondent to register the power deed, dated 06.09.2025 within a time fixed by this Court.

For Petitioner : Mr.S.Packiya Muthu

For Respondents : Mr.Veera Kathiravan
Additional Advocate General
assisted by Mr.P.Subbaraj
Special Government Pleader for R2

: Mr.S.Shanmugavel
Additional Government Pleader
for R1, R4 & R7

: Mr.V.Chandrasekar
for R3

: Mr.K.K.Udhaya Kumar
for R5 & R6

: Mr.M.Linga Durai
Special Government Pleader
for R8



W.P(MD)No.25822 of 2025

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ORDER

Heard both sides.

2. The power of attorney dated 06.09.2025 was executed in favour of the writ petitioner by one Arumugam and Sivakumar and presented for registration. Citing the objection received from the third respondent temple, the registering officer declined to register the document. Challenging the same, this writ petition has been filed.

3. It cannot be in dispute that the refusal to register the document is based on Section 22A of the Registration Act. The said provision can be invoked only in respect of instruments relating to transfer of immovable properties by way of sale, gift, mortgage, exchange or lease. The power of attorney mentioned by itself is not a document of transfer of immovable property. But definitely it is an instrument relating to transfer of immovable property. By way of power conferred on him, the petitioner is authorised to sell the property in question. However, the respondent has not followed the procedure laid down in ***Sudha Ravi Kumar case ((2017) 3 CTC 135).***



W.P(MD)No.25822 of 2025

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4. In this view of the matter, the impugned order is quashed. The matter is remitted to the file of the first respondent. The first respondent will hold enquiry in terms of the direction laid down by the Hon'ble Division Bench and pass a speaking order. The writ petition is allowed accordingly. No costs.

26.11.2025

Index : Yes / No
Internet : Yes/ No
rmi

To

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- 2.The Assistant Commissioner,
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Madurai District.
- 3.The Tahsildar,
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- 4.The Inspector General of Registration,
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- 5.The District Revenue Officer,
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W.P(MD)No.25822 of 2025

G.R.SWAMINATHAN, J.

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W.P(MD)No.25822 of 2025

26.11.2025