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W.P.(MD)NO.32838 OF 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.11.2025

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.32838 of 2025

M.Narasimha Raghavan

... Petitioner

Vs.

1.The Sub Registrar,

Peraiyur,

O/o.the Sub Registrar,

Subramaniya Swami Kovil Street,

Peraiyur, Madurai – 625 703.

2. The Assistant Commissioner,

Hindu Religious and Charitable Endowments,

Theni district,

No.6-2-1, T.P.N.Salai,

Palanichettipatti,

Theni – 625 531.

3. Arulmighu Gurunatha Swami Thirukovil,

Peraiyur, Rep. By Executive Officer,

Arulmighu Sundaramahalinga Swami Thirukovil,

Sathuragiri @ Watrap,

Virudhunagar District.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order in Na.Ka. No.129/2025 dated 27.10.2025 passed by the first respondent rejecting the request of the petitioner to register the settlement deed



presented on 25.09.2025, quash the same as arbitrary and illegal and consequently direct the first respondent to register the settlement deed executed by the petitioner in favour of her daughter, in respect of the property comprised in survey No.273/5A of Chinna Poolampatti Village, Peraiyur Taluk, Madurai District without insisting for No Objection Certificate from the Hindu Religious and Charitable Endowments Department within a time frame that may be fixed by this Court.

For Petitioner : Mr.VR.Shanmuganathan,
for Mr.B.Gopinath.

For Respondents : Mr.D.Gandhiraj,
Special Government Pleader for R-1.

Mr.P.Subbaraj,
Special Government Pleader for R-2.

Mr.S.Manohar for R-3.

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ORDER

Heard both sides.

2. The writ petitioner wanted to deal with the petition-mentioned property. When he approached the registration



Officer, the petitioner was informed that he should obtain NOC from the HR&CE Department. Seeking direction in this regard, the petitioner filed W.P.(MD)No.22799 of 2025. The writ petition was disposed of on 21.08.2025 directing the registering officer to hold enquiry as per the directions set out in ***Sudha Ravi Kumar and Others Vs. The Special Commissioner, HR&CE Department, Chennai and Others (2017 (3) CTC 135)***. Pursuant to the same, an enquiry was conducted and the registering officer issued proceedings dated 27.10.2025 that the petition-mentioned property belongs to the third respondent temple and that Section 22A of the Registration Act will kick in. Challenging the stand of the registering officer, this writ petition has been filed.

3. I called upon the learned counsel for the third respondent to produce materials to show that the third respondent temple has any right over the petition-mentioned property. The third respondent is not in a position to produce an iota of material in this regard. On the other hand, the writ petitioner had produced a copy of the order dated 06.05.1969 passed by the Settlement Tahsildar (Minor Inams), Unit I, Madurai holding that the third respondent



temple will be entitled to Ryotwari patta for 3 acres and 7 cents and that one Pulugiah Chettiar would be entitled to the remaining extent.

Full title was to pass to Pulugiah Chettiar on payment of a particular sum. The issuance of Ryotwari patta in favour of Pulugiah Chettiar was taken into consideration by the Tahsildar, Thirumangalam. Of course, there is no receipt indicating that Pulugiah Chettiar paid the consideration. However in "A" Register, mutation was effected and Pulugiah Chettiar's name was duly entered. From this, one can safely come to the conclusion that payment was made by the ryotwari patta-holder. Be that as it may, Pulugiah Chettiar subsequently executed sale deed dated 02.11.1998 in favour of one Mariyammal. The said document was registered as document No.1579/1998. Mariyammal subsequently sold the property in favour of the petitioner vide sale deed dated 24.08.2009. That was registered as document No.3168/2009. Thus, much water has flown under the bridge. At this stage, in the absence of credible material on the side of the third respondent temple, the question of the petitioner having to obtain NOC from the HR&CE Department does not arise at all.



4. The order impugned in the writ petition is quashed. It is made clear that the writ petitioner can very well deal with the petition-mentioned property on his own and there is no need to obtain NOC from the third respondent temple or HR&CE Department.

This writ petition stands allowed. No costs.

26.11.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
PMU

To:

- 1.The Sub Registrar,
Peraiyur,
O/o.the Sub Registrar,
Subramaniya Swami Kovil Street,
Peraiyur, Madurai – 625 703.
2. The Assistant Commissioner,
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