



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-02-2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

WP No. 5407 of 2020

Velayutham
S/o.Vasuvalingam,
Thuraiyur,
Trichy District

..Petitioner(s)

Vs

1. The Commissioner,
Hindu Religious and Charitable Endowment
Department, Nungambakkam High Road,
Nungambakkam, Chennai
2. The Assistant Commissioner,
Hindu Religious and Charitable Endowment
Department, Cuddalore
3. The Joint Registrar No.I,
Virudhachalam, South Arcot District

..Respondent(s)

To call for the records of the 2nd respondent in Na. Ka. No. 1026/ 2018/ A4 dated 6.1.2020 and quash the same and consequently forbear the respondents 1 and 2 from interfering with the functioning of the Institution at Thuraiyur and Virudhachalam as also with the power of the Head of the Institution to deal with the properties of the Institution

For Petitioner(s): Ms.K.Indhumathi

For Respondent(s): Mr.S.Ravichander,
Addl.G.P. (HR&CE) for R1 to R3.

**ORDER****(Order of the Court was made by S.M.Subramaniam J.)**

The present writ petition has been instituted challenging the communication dated 06.01.2020 sent by the Assistant Commissioner, HR&CE Department to the petitioner, asking him to appear before the Commissioner for enquiry along with necessary documents on 22.01.2020.

2. In a connected writ petition in W.P.(MD).No.1057 of 2018 filed before the Madurai Bench of Madras High Court regarding the mismanagement and mishandling of the properties belonging to Sengol Madam, Tirunelveli District, the Madurai Bench of Madras High Court, while hearing the said writ petition on 01.02.2018, suo-motu impleaded many Mutts in Tamilnadu. Among them, the mutt referred in the present writ petition was arrayed as a respondent. The said order of the Madurai Bench of Madras High Court is not challenged by the petitioner. In the said writ petition, the Madurai Bench of Madras High Court had issued various directions both to Commissioner, HR&CE Department and to the Head of Madathipathis concerned so as to submit the details of properties belonging to the Mutt, income derived from them, lease particulars etc. The Commissioner was also directed to collect the said particulars and submit the same before this Court. The communication which is under challenge is, as a result of the order issued by the High Court in the aforesaid Writ Petition. It is only a consequential order of the Commissioner on the directions issued by this Court.

3. That part, the procedure to be followed for conducting an enquiry under Section 71 has been considered by the Division Bench of this Court in



Munisamy vs. The Sub-Registrar reported in 2025 MHC 2588. Scheme under the Act requires a reasoned order to be passed by the Registering Authority.

In the present case, after conducting an enquiry, the Registering Authority has to pass an order under Section 71 of the Act. An aggrieved person may prefer an appeal before the Appellate Authority under Section 72 of the Registration Act. Thereafter, Section 73 contemplates institution of a suit by an aggrieved person. When the Scheme under the Act provides an alternate remedy for redressal of grievance, Writ Court cannot adjudicate the disputed issues relating to civil rights. That apart, civil rights cannot be adjudicated neither by the registering authority nor by the Writ Court under Article 226 of the Constitution of India.

4. Granting liberty to the petitioner to work out his remedy under the Scheme contemplated under the Registration Act, the present Writ Petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

(S.M.S.,J.) (C.K.,J.)
25-02-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

VSI



1. The Commissioner,
Hindu Religious and Charitable Endowment
Department, Nungambakkam High Road,
Nungambakkam, Chennai

3. The Joint Registrar No.I,
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**S.M.SUBRAMANIAM, J.
AND
C.KUMARAPPAN, J.**

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