



W.P.No.7420 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.03.2026

CORAM :

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.7420 of 2026

Ariya Boopathi

... Petitioner

Vs.

- 1.The Commissioner,
Hindu Religious and Charitable Endowment,
Nungambakkam, Chennai.
 - 2.The Joint Commissioner,
Hindu Religious and Charitable Endowment,
Dharmapuri.
 - 3.The Executive Officer,
Hindu Religious and Charitable Endowment,
Mallikuttai Sri Dhimaraya Swami Kuladheiva Temple,
Naduhalli Village, Dharmapuri, Dharmapuri District.
 - 4.The Sub-Registrar,
Office of Sub-Registration,
Dharmapuri, Dharmapuri District.
 - 5.President of Mallikuttai Sri Dhimaraya Swami Kovil Seva Trust,
Rep. by Dhanushkodi Narayana Gounder,
No.1/5, Mallikuttai Village and Post,
Kariyamangalam Taluk, Dharmapuri District.
- ... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the 2nd to 4th Respondent herein to consider the Petitioner's Representation dated 05.05.2025 and consequently direct the 4th Respondent to cancel the registered Trust Deed vide Doc.No.7/2022 dated 19.04.2022.

For Petitioner : Mr.R.Ramesh

For Respondents : Mr.K.Karthikeyan
Government Advocate [R1 to R4]
Notice dispensed with [R5]

ORDER

This Writ Petition has been filed to direct the respondents 2 to 4 to consider the petitioner's representation, dated 05.05.2025, and consequently, to direct the 4th respondent to cancel the registered trust deed, dated 19.04.2022, bearing Doc.No.7/2022.

2. Mr.K.Karthikeyan, learned Government Advocate, accepts notice on behalf of the respondents 1 to 4. Since no adverse order is passed against the 5th respondent in this writ petition, notice to the 5th respondent is dispensed with by this Court.



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3. The ultimate relief, the petitioner is seeking through his representation referred to supra is for cancellation of the registered trust deed, dated 19.04.2022, which according to the petitioner was fraudulently created in order to collect funds from the public and mis-use the same. The trust deed pertains to the 5th respondent. The petitioner claims that through a civil court decree obtained in his favour much prior to the execution of the trust deed, dated 19.04.2022, he has been declared as Dharmakartha for the 3rd respondent temple.

4. There are several disputed questions of fact involved in this writ petition, which cannot be adjudicated by this Court exercising powers under Article 226 of Constitution of India. Further, since the petitioner's ultimate relief is for cancellation of the registered document, namely the trust deed, dated 19.04.2022 registered as Doc.No.7/2022, the petitioner will have to necessarily approach only the civil court and cannot seek relief through his representation by filing a writ petition under Article 226 of Constitution of India. The law is now well settled that the writ court cannot adjudicate a request made by a party seeking for



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cancellation of a registered document, that too, when there are disputed questions of fact involved.

5. For the foregoing reasons, since this writ petition is not maintainable, this Writ Petition is disposed of by granting liberty to the petitioner to approach civil court for seeking the relief sought for in this writ petition. No costs.

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Index : Yes / No
Speaking order / Non-speaking order
Neutral Citation Case : Yes/No
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ABDUL QUDDHOSE, J.

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