



WEB COPY

WP No. 49427 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-01-2026

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THE HON'BLE MR JUSTICE SENTHILKUMAR RAMAMOORTHY

WP No. 49427 of 2025

D.Venkatesan
S/o.Duraisamy, D.304, 3rd Floor, Hazel
Apartment, Paruthipattu, Poonamalle Road,
Kamarajar Nagar, Tiruvallur District 600 071.

..Petitioner(s)

Vs

1. The Sub Registrar
Paruthipattu, Avadi, Tamil Nadu 600 071.
2. The Executive Officer,
Arulmigu Masilmaneeswarar Temple,
Thirumullaivoyal, Chennai 600 062.

..Respondent(s)

PRAYER: This writ petition is filed under Article 226 of the Constitution of India praying to issue a Certiorarified Mandamus to call for the records on the file of the 1st Respondent in proceedings RFL / AVADI / 76 /2025 dated 13/11/2025 and quash the same as illegal, improper and without jurisdiction and to consequently direct the 1st respondent to register the Settlement Deed dated 13/11/2025, with respect to the land admeasuring 0.68 cents in Survey No.24/24, situated at Morai -2, Mathurathenambakkam village, Avadi Taluk, Tiruvallur District and there by render Justice.

For Petitioner(s): Mr.Sunny Sheen Akkara
Ashwin Prasad

For Respondent(s): Mr.P.Harish, Govt. Advocate for R1
Mr.S.Ravichandran, AGP (HR&CE) for R2



ORDER

The petitioner asserts that he purchased the property described in paragraph-2 of the affidavit on 31.05.1984 under document No.3287/1984. Intending to settle a portion of the property in favour of his son, he executed a settlement deed dated 13.11.2025 and presented the same for registration. The request for registration was declined under the impugned refusal check slip.

2. Learned counsel for the petitioner submits that the properties of the Arulmigu Masilmaneeswarar temple are contained in the website of the Hindu Religions & Charitable Endowments Department (H.R.&C.E.) By referring thereto, he submits that the petitioner's property is not claimed to be the property of the temple.

3. Mr.Harish, learned Government Advocate, submits that the Division Bench of this Court issued directions in *Sudha Ravi Kumar and Another v. The Special Commissioner and Commissioner, H.R.& C.E.*, 2017 (3) CTC 135, at paragraph 25 thereof.

4. In the above mentioned judgment, this Court directed that notice should be issued to the parties to the document concerned and to the religious institution and a decision should be taken after providing a reasonable opportunity to the said parties. In this case, the impugned



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refusal check slip has been issued after noticing that patta had been issued to the temple without following the procedure laid down in the above mentioned judgment. Therefore, re-consideration is warranted. In order to enable such re-consideration, the impugned refused check slip is set aside and the matter is remanded to the Sub Registrar, Paruthipattu, Avadi. After providing a reasonable opportunity to the petitioner and the second respondent, a speaking order shall be issued, within 30 days from the date of receipt of a copy of this order, if the registering officer is declining registration. Otherwise, the registration process shall be concluded within the above mentioned time limit. The Sub Registrar shall act on a web copy of this order. No costs.

29-01-2026

Neutral Citation: Yes/No

KAL



To

1. The Sub Registrar
Paruthipattu, Avadi, Tamil Nadu 600 071.
2. The Executive Officer,
Arulmigu Masilmaneeswarar Temple,
Thirumullaivoyal, Chennai 600 062.



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SENTHILKUMAR RAMAMOORTHY, J.

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