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WP No. 2310 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 29-01-2026**

CORAM

**THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY**

**WP No. 2310 of 2026**

**and**

**WMP Nos.2562 to 2564 of 2026**

Siloam Medical Mission  
Rep. by its Director Mr. Rudra Manual  
Registered under societies Registration Act XXI  
of 1850-S. No.62 of 1976  
(Becker Manual Hospital)  
272, Maruthamalai Main Road,  
P.N. Pudur, Coimbatore 641 041.

Petitioner(s)

Vs

1. The Hindu Religious and  
Charitable Endowment Department  
Rep by its Commissioner, Nungambakkam, Chennai.
- 2.The Assistant Commissioner of Temples  
Office of the Hindu Religious and Charitable Endowment  
Rajaveedhi, Coimbatore.
- 3.The District Registrar  
District Registrar Office,  
Collector Office Compound,  
State Bank Street, Coimbatore 641 018.
- 4.The Joint Sub Registrar II  
Office of the Joint Sub Registrar II, Coimbatore 641 041.

Respondent(s)



**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Certiorarified Mandamus, calling for the records from the 2<sup>nd</sup> respondent and quash the letter Na.Ka.No.5196/2011/A7, dated 22.11.2011 passed by the 2nd Respondent, i.e. The Assistant Commissioner of Temples, Hindu Religious and Charitable Endowment, Coimbatore, and consequentially direct the 4th Respondent i.e. Joint Sub Registrar II, Coimbatore 641 041 to register the Lease Deed presented by the petitioner on 21.08.2025 Mission in respect of the property Plot with building in Survey No.10, measuring an extent of 13068 sq.ft situated at Telungupalayam Village, Coimbatore District.

For Petitioner(s): Mr.G.Saravanakumar

For Respondent: Mr.N.R.R.Arun Natarajan  
Special Government Pleader for  
R1 & R2  
Mr.S.Senthil Murugan  
Special Government Pleader for  
R3 & R4

### **ORDER**

This Writ Petition is being disposed of at the stage of admission itself with the consent of the learned counsel for the petitioner and the learned Special Government Pleader for the respondents 1 to 4.

2. This writ petition is filed for a prayer of the Certiorarified Mandamus, challenging the order dated 22.11.2011 of the 2nd respondent and to



consequently direct the 4th Respondent i.e., Joint Sub Registrar II, Coimbatore to register the Lease Deed presented by the petitioner on 21.08.2025 in respect of the property in Survey No.10, measuring an extent of 13068 sq.ft, situated at Telungupalayam Village, Coimbatore District.

3. Upon hearing the learned counsel for the petitioner and perusing the affidavit filed in support of this writ petition, the contention of the petitioner is that the petitioner had lawfully purchased the property and now he wanted to lease out the property. When the lease deed is presented, based on the impugned order the lease deed has not been registered and therefore, the petitioner is challenging the impugned order.

4. Per contra, learned Special Government Pleader appearing for the respondents 1 and 2 submitted that the property belongs to the temple and as such the communication is issued.

5. Considering the submissions made on both sides, the matter is no longer *res integra*, since it has been covered by the Division Bench of this Court in ***Sudha Ravi Kumar and one other Vs. The Special Commissioner and***



**Commissioner and two others reported in [2017 3 CTC 135]** and the direction that are given in the Division Bench judgement in paragraph no.25 are extracted hereunder for ready reference:

*“25. In view of the above discussions, all the writ petitions are allowed and the impugned orders are set aside with the following directions:*

*(i) The registering authority before whom the document has been presented shall cause service of notice on the parties to the deeds and also to the objector / religious institution, hold summary enquiry, hear the parties and then either register or refuse to register the document by passing an order having regard to the relevant facts as indicated above.*

*(ii) If the registering authority, refuses to register any document by accepting the objections raised under [Section 22-A of the Registration Act](#), the aggrieved may file a statutory appeal under the Act.*

*(iii) If the objections raised under [Section 22-A of the Act](#) by the religious institution are rejected and the document is registered, the remedy for the religious institution is to either approach this Court by way of a writ petition seeking cancellation of the registration or for any other relief or to approach the civil Court for declaration of the title and for other consequential reliefs.*

*(iv) If the registering authority refuses to register the document acting on the objections raised by a religious institution under [Section 22-A of the Registration Act](#), the parties to the deed will be at liberty to straightaway approach the Civil Court for*



*declaration of title and other relief without availing the opportunity for filing a statutory appeal.*

*(v) We further direct that if the deed has already been registered without there being any objection by the religious institution under Section 22-A of the Act, the document shall be returned to the parties concerned leaving it open for the religious institution to approach either the High Court under Article 226 of the Constitution of India or the Civil Court for appropriate relief as indicated above. At any rate, the registering authority shall not withhold the deed which has already been registered.*

*(vi) Consequently the connected miscellaneous petitions are closed. No costs."*

6. As far as this case is concerned, it can be seen that refusal check slip is also issued refusing to register the document, the same was issued on 21.08.2025. It can be seen that the refusal check slip also does not speak of any summary enquiry as directed by the Division Bench above being conducted and the learned counsel for the petitioner would also assert that no such enquiry was conducted.

7. In view thereof, this writ petition is disposed of on the following terms:

- (i) Refusal check slip dated 21.08.2025 shall stand set aside and the 4<sup>th</sup> respondent, namely The Joint Sub Registrar-II, Coimbatore shall conduct the enquiry by affording an



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opportunity to the petitioner as well as the temple and the Authorities as directed in paragraph no.25 stated supra and pass detailed order containing the reasons for registration or refusal as the case may be.

(ii) It is made clear that as per the dictum of Division Bench, aggrieved party shall approach the appropriate Civil Court.

(iii) No costs. Consequently, connected Miscellaneous Petitions are closed.

**29-01-2026**

Jd

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

To

1. The Hindu Religious and  
Charitable Endowment Department  
Rep by its Commissioner, Nungambakkam, Chennai.

2.The Assistant Commissioner of Temples  
Office of the Hindu Religious and Charitable Endowment  
Rajaveedhi, Coimbatore.

3.The District Registrar  
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