



WP.(MD)No.782 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 12.01.2026

CORAM :

**THE HON`BLE MR.JUSTICE B.PUGALENDHI**

WP.(MD)No.782 of 2026  
and WMP.(MD)No.647 of 2026

1.G.Sundaram

... Petitioner

Vs

1.The District Collector  
Pudukkottai District  
Pudukkottai.

2.The Revenue Divisional Officer  
O/o. Revenue Divisional Officer  
Aranthangi and Taluk  
Pudukkottai District.

3.The Tahsildar  
Avuadaiyar Koil Taluk  
Pudukkottai District.

4.The Special Tahsildar  
Avuadaiyar Koil Taluk  
Pudukkottai District.

5.The Deputy Commissioner  
Tamil Nadu Hindu Religious and Charitable Endowments  
Department  
No.119 Uthamar Gandhi Road



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Thousand Lights West  
Nungambakkam  
Chennai - 600 034.

6.The District Registrar  
O/o. District Registrar Office  
Karaikkudi Taluk  
Sivagangai District.

7.The Sub-Registrar  
O/o. Sub-Registrar Office  
Mimisal  
Avuadaiyar Koil Taluk  
Pudukkottai District.

8.Arulmigu Kalyanaramasamy Thirukkoi  
Represented by its Executive Officer  
P. Sathyaraj  
Avuadaiyar Koil Taluk  
Pudukkottai District.

9.R. Pudupattinam Village Sabha  
Represented by its Vice-President  
Mimisal Avuadaiyar Koil Taluk  
Pudukkottai District.

... Respondents

**Prayer :** Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Certiorarified Mandamus, to call for the records of the respondents, particularly the 8th respondent impugned letter dated 20.12.2024 and 9th respondent impugned letter dated 26.12.2024 and quash the same and consequentially direct the 7th and 8th respondents,



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particularly to entertained registration of documents as the petitioner is the absolute owner of the property, situated at Alathoor Village, Avudiyarkoil Taluk, Pudukkottai District, comprised in Survey Nos.186/5 and 188/15.

|                |                                                      |
|----------------|------------------------------------------------------|
| For Petitioner | : Mr.R.Thanjan                                       |
| For R1 to R7   | : Mr.S.Shanmugavel,<br>Additional Government Pleader |
| For R8         | : Mr.G.Madhavan,<br>Standing Counsel.                |

### ORDER

Aggrieved by the communication dated 20.12.2024 of the Executive Officer of Arulmighu Kalyana Ramasamy Thirukovil, Pudukkottai District, the petitioner has filed this writ petition.

2.By the impugned communication, dated 20.12.2024 the Executive Officer has requested the Sub Registrar of Mimisal to withhold the registration of lands pertaining to S.Nos.178/2,



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188/15, 186/5, 187/5, 187/9, 202/ 6 and 202/8 of Alanthur Village, Pudukkottai District that these lands belong to the temple.

3.The petitioner claims that he is having a civil court decree in his favour in O.S.No.432 of 1993 that the subject lands belong to him.

4.Mr.G.Madhavan, learned Standing Counsel takes notice for the 8<sup>th</sup> respondent and submits that the petitioner has already made a claim before the Settlement Thasildar in the year 1970 and the Assistant Settlement Officer, Thanjavur, by his order in R.P.No.12/ARG/69 dated 17.03.1970 has rejected the claim of the petitioner and has declared that the subject land is a temple land. Thereafter, the petitioner has filed an application under Section 63 of the Hindu Religious and Charitable Endowments Act before the Hindu Religious and Charitable Endowments Department to declare this Mutt as a private Mutt, wherein, the petitioner has mentioned the S.Nos.178/2, 188/15, 186/5, 187/5, 187/9, 202/6



and 202/8 as properties of the Mutt. The request of the petitioner under Section 63 of the Hindu Religious and Charitable Endowments Act was also rejected by his order dated 12.05.1995. Thereafter, a collusive suit was filed by the petitioner among his family members in O.S.No.432 of 1993, without adding the Hindu Religious and Charitable Endowments Department and a collusive decree was also obtained in a suit for partition. With the strength of the collusive decree, the petitioner has also attempted to register the document and the same has been rightly refused by the Sub Registrar, Pudukottai.

5.This Court has considered the submissions made on either side and perused the available records.

6.Similar issue has already been decided by the Division Bench of this Court in *Sudha Ravi Kumar vs The Special Commissioner And others* reported in *2017 3 CTC 135*, wherein the Division Bench has issued certain guidelines as to the manner



in which the Sub Registrar has to deal with the objections, if any raised by the Hindu Religious and Charitable Endowments Department and the same is extracted hereunder:-

*“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*



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*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."*

7. In view of the above decision, this writ petition is disposed of with a direction to the 7<sup>th</sup> respondent to provide an opportunity to the petitioner as well as the 8<sup>th</sup> respondent / temple to submit



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their documents in support of the their case and shall pass a reasoned order, within a period of twelve (12) weeks from the date of receipt of a copy of this order. No costs. Consequently connected miscellaneous petition is closed.

**12.01.2026**

NCC : Yes/No

Index : Yes/No

Internet:Yes

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**Note: Issue Order copy on 12.01.2026**

To

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Pudukkottai.

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**B.PUGALENDHI,J**

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