



WP.(MD)No.805 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.805 of 2026

Kullappan

... Petitioner

Vs.

1.The Sub Registrar,
Kulathur Post and Taluk,
Pudukkottai District.

2.The Joint Commissioner,
Hindu Religious & Charitable Endowments Department,
Thanjavur District.

3.The Assistant Commissioner,
Hindu Religious & Charitable Endowments Department,
Thanjavur District.

4.The Executive Officer,
Pudukottai Devasthanam,
Pudukottai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, to direct the respondent to release the pending document No.P/111/2025



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pending on the file of the respondent with regard to the property comprised in 2 acre 38 cent in S.F.No.152-1, 1 acre 52 cent in S.F.No.152-3, 35 cent in 275-3A, 5 cent in 275-3B, 64 cent in 275-4A, 6 cent in 275-4B, 1 acre 75 cents in S.No.296-2 and totally Petitioner has purchased 6 acre 75 cent at Amburpatti, Kulathur Taluk, Pudukkottai District at once.

For Petitioner : Mr.P.Ganapathi Subramanian

For R1 : Mr.M.Lingadurai,
Special Government Pleader

For R2 & R3 : Mr.Jayaseelan,
Government Advocate.

For R4 : Mr.G.Madhavan,
Standing Counsel.

ORDER

The petitioner has filed this writ petition seeking writ of mandamus directing the first respondent to release the document related to the above mentioned land.



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2.The petitioner has submitted a representation for registration of the land in S.F.Nos.152-1, 152-3, 275-3A, 275-3B, 275-4A, 275-4B, 296-2 before the first respondent, but the same has not been registered in view of an endorsement available in 'A' Register. In the 'A' Register it is reflected that these lands belong to the temple and therefore, the petitioner has filed a writ petition before this Court in WP.(MD)No.24201 of 2025 and this Court has disposed of the said writ petition, by its order dated 26.06.2025 to conduct an enquiry as contemplated by the Division Bench in *Sudha Ravi Kumar and another Vs. The Special Commissioner and Commissioner, Hindu Religious and Charitable Endowments Department, Chennai and another* reported in *AIR 2017 Madras 203*. The Division Bench has issued certain directions as under:-

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



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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."

3.The case of the petitioner is that the Sub Registrar has also issued a notice to the Executive Officer of Pudukottai Devasthanam. However, Executive Officer by his reply dated 10.12.2025 has replied the Sub Registrar that the temple is not under the control of the Pudukottai Devasthanam. Therefore, the petitioner has again approached this Court by way of this writ petition seeking a direction to release his document.

4.Mr.M.Lingadurai, learned Special Government Pleader takes notice for the first respondent. Mr.Jayaseelan, Government Advocate takes notice for the respondents 2 & 3. Mr.G.Madhavan, learned Standing Counsel takes notice for the fourth respondent



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5.The learned counsel appearing for the fourth respondent submits that there was no enquiry conducted as directed in *Sudha Ravi Kumar's* case. He further submits that 'A' Register reflects the subject land as a temple land and therefore, the Joint Commissioner of Hindu Religious and Charitable Endowment Department, Thanjavur District would be the competent authority to report whether the subject land is a temple land or not.

6.In view of the rival submissions, this Court *suo motu* impleads the Joint Commissioner of Hindu Religious & Charitable Endowment Department, Thanjavur District, Assistant Commissioner, Hindu Religious & Charitable Endowment Department, Thanjavur District and Executive Officer of Pudukottai Devasthanam as the respondents 2 to 4 to this writ petition.

7.The Sub Registrar, Kulathur Taluk, Pudukottai District shall issue a notice to the Joint Commissioner and Assistant



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Commissioner of Hindu Religious & Charitable Endowment Department, Thanjavur District and get written response from them and conduct enquiry as directed in *Sudha Ravi Kumar and another Vs. The Special Commissioner and Commissioner, Hindu Religious and Charitable Endowments Department, Chennai and another* reported in *AIR 2017 Madras 203* and thereafter to pass detail order. The aggrieved parties have to workout their remedy in the manner known to law. Let this exercise be completed within a period of eight weeks from the date of receipt of a copy of this order.

8. With the above directions, this writ petition is disposed of.

No costs.

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NCC : Yes/No

Index : Yes/No

Internet: Yes

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To



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B.PUGALENDHI,J

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