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W.P(MD)No.10066 of 2026



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 09.04.2026

CORAM

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

**W.P(MD)No.10066 of 2026
and
W.M.P(MD)No.7930 of 2026**

The Tamil Evangelical Lutheran Church,
Represented by its Property Officer,
P.Soloman
S/o.Pushparaj
Tranquebar House
Thiruchirapalli.

... Petitioner

Vs.

- 1.The Inspector General of Registration,
O/o.The Inspector General of Registration,
No.100, Santhome High Road,
Foreshore Estate,
Chennai-600 028.
- 2.The District Registrar,
O/o.District Registrar Office,
Ramanathapuram.
- 3.The Sub-Registrar,
Kamuthi,
Ramanathapuram District.
- 4.Rt.Rev.Dr.H.A.Martin,
(Retired Bishop of TELC)
No.59, Pasumai Nagar,
Sembattu, Trichy-620 007.



5.A.Vijayakumar
6.K.Mahamuni
7.A.Linga paremeswari
8.P.Aputhiran
9.Velmayil Murugan
10.S.Tamilselvi

...Respondents

Writ Petition is filed under article 226 of the Constitution of India, praying to issue a Writ of Declaration, to declare the fraudulent fabricated general power of attorney deed dated 01.10.2024 bearing Document No. 48/2025 executed in favour of the 6th and 7th respondents and consequential sale deeds dated 19.12.2025 in Document Nos.2622, 2623 of 2025 executed by the respondents 6 and 7 in favour of the respondents 8 to 10 on the file of the third respondent and to declare the same as null and void.

For Petitioner
For R1 to R3

:Mr.P.Arunjayatram
:Mr.M.Gangatharan
Government Advocate

ORDER

The prayer in the writ petition is to declare the fraudulent fabricated general power of attorney dated 01.10.2024 bearing document No.48 of 2025 executed in favour of the 6th and 7th respondent and consequential sale deeds Dated 19.12.2025 in Document Nos.2622, 2623 of 2025 executed by the respondents 6 and 7 in favour of the respondents 8 to 10 on the file of the third respondent as null and void.



2. Upon hearing the learned counsel for the petitioner and perusing the material records of the case, the grievance of the petitioner is that in respect of the property belonging to the Church, even though the 4th respondent retired as a Bishop, in the year 2013, very belatedly in the year 2024 he appointed 6th respondent as Assistant Property Officer, who in turn created all these documents.

3. According to the learned counsel for the petitioner, there is an express order restraining such parties from doing so. The learned counsel would rely upon the order passed in M.P.No.3 of 2012, in CRP(MD)No. 2385 of 2010 dated 29.01.2013. The learned counsel would take this Court to paragraph No.4 of the said order, in which, the earlier order passed in CRP(MD)No.2385 of 2010 dated 14.12.2010, is extracted thereunder, paragraph 53(h) of the said order reads as follows.

“53(h) Till the first batch of suits segregated as per the preceding clauses are taken up for hearing are disposed of, none of the immovable properties of the institution shall be sold or encumbered in any manner;”

In view thereof, any alienation would be directly in violation of the order. Therefore, the appointment of the 5th respondent, and consequently, the power of attorney and the sale deeds fall foul in the teeth of the earlier order of this Court. Even though the petitioner has made an objection, the.



respondents have not dealt with the same. Therefore, the petitioner has come up with the present prayer.

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4.I have heard the learned Government Advocate appearing on behalf of the respondent.

5.It can be seen that if it is the contention of the petitioner that the private respondents, namely, respondents 4 to 10 have acted in a manner so as to violate the order of this Court and executed the document, then the remedy open to the petitioner is to file a contempt petition, in the very same CRP. If this Court finds that the order is contemptuous, naturally, these deeds will also be declared as null and void in the said contempt proceedings. Neither the Sub-Registrar nor this Court under Article 226 of the Constitution of India, shall entertain such an exercise of deciding the issues between the private parties.

6.In view thereof, liberty of the petitioner to move an appropriate contempt petition is kept open and there is no power for the Sub-Register to cancel the registration or to declare these documents as fraudulent in nature, in view of the striking down of section 77 A of the Registration Act 1998. The petitioner has also submitted an objection petition. As and when any



further document is presented for registration, the objection shall be considered in the manner known to law by issuing due notice to the petitioner also.

7. With the above observations and keeping the liberty of the petitioner open, this Writ Petition cannot be entertained and as such, the same is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

09.04.2026

NCC:Yes/No
Ns

To

1. The Inspector General of Registration,
O/o. The Inspector General of Registration,
No.100, Santhome High Road,
Foreshore Estate,
Chennai-600 028.

2. The District Registrar,
O/o. District Registrar Office,
Ramanathapuram.

3. The Sub-Registrar,
Kamuthi,
Ramanathapuram District.



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D.BHARATHA CHAKRAVARTHY, J.

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09.04.2026