



WEB COPY

W.P(MD)No.20100 of 2



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 07.04.2026

CORAM

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

W.P(MD)No.20100 of 2025

R.Tamilselvi

... Petitioner

Vs.

1.The Special Commissioner and Commissioner,
Hindu Religious and Charitable Endowment Department,
Chennai-14

2.The Joint Commissioner,
Sri Renganatha Swami Temple,
Hindu Religious and Charitable Endowment Department,
Srirangam, Trichy.

3.The Sub Registrar,
Sub Registrar Officer,
Srirangam

...Respondents

Writ Petitions are filed under article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned refusal check slip issued by the 3rd respondent in her proceedings Refusal No.RF/Srirangam/85/2025 and also issued refusal order in her proceedings in Na.Ka.No.29/2025 in Refusal Order No.85/2025 dated 04.07.2025 and quash the same as illegal and consequently direct the 3rd respondent to register the sale deeds or settlement deeds or MOD or any other documents when it presented for registration by the petitioner with



respect to the subject property bearing in T.S.No.1192 an extent of 9438 Sq.ft of land along with consist of building appurtenances thereon in Ward-1, Block No.35 in T.D.No.1094 situated at Vellithirumutham Village, Srirangam Taluk, Trichirappalli District, without insisting No Objection Certificate from the first and second respondents.

For Petitioner	:Mr.P.Arun Jeyatram, for Mr.R.Mahendran
For R1 & R3	:Mr.F.Deepak Special Government Pleader
For R2	:Mr.M.Saravanan

ORDER

This writ petition is filed challenging the impugned refusal check slip dated 04.07.2025.

2.Upon hearing the learned counsel for the petitioner and perusing the material records of the case, the case of the petitioner is that the petitioner has proper title deeds in respect of the property in question. Originally, by a document bearing No.1906 of 1886, the property was conveyed to one Rangarajamaiyar. The said Rangarajamaiyar in turn, conveyed the property to one Ramasamy Muthuraja by a registered sale deed, dated 16.08.1933, as document No.2312 of 1933. Thereafter, by further deeds of the year 1965 and Partition Deed of the year 1968, settlement Deed of the year 1974, the petitioner and his predecessors in title claimed title in respect of the property. As a matter of fact, since the land was described as Inam land, a



due application was made to in the settlement proceedings and Ryotwari Patta in title was obtained. Suddenly, without any basis whatsoever the objection was raised on behalf of the temple, based upon which without any enquiry whatsoever, the improved order has been passed.

3.The learned counsel by relying upon the Division Bench judgment made in ***Sudha Ravi Kumar and another vs. The Special Commissioner and Commissioner, Hindu Religious and charitable Endowments Department, Chennai and others***, reported in (2017) 3 CTC 135, would submit that the Division Bench itself has categorically said that with reference to Inam lands, if ryotwari patta has also granted and the settlement proceedings are settled in favour of the individuals, the same should also be taken into account by the Sub- Register. The learned counsel would further rely upon the judgment of this Court in W.P(MD).No.30910 of 2023(V.Gomathi V. the Joint Commissioner/Executive Officer of Arulmighu Ranganathaswamy Temple, Srirangam and another) whereby the sale deed itself was ordered to be registered in respect of the very same survey number. Therefore, the learned counsel would submit that without any basis whatsoever, the Temple is simply claiming title and on that basis, the impugned refusal check slip was passed which is illegal.



4.Per Contra, the learned counsel appearing on behalf of the Temple would submit that the property in question was originally entered in the Inam fair register and upon consideration thereof, it can be seen that it is only a Service Inam. Both warms cannot be vested in the service holder and the title shall rest only in the temple. Therefore, even though there is no other document of title in favour of the temple, the sale deed executed by the said Rangarajamaiyar in the year 1933 and thereafter the further documents and the decree passed in OS.No.958 of 1994 will not bind the temple.

5.I have considered the rival submissions made on either side and perused the material records of the case.

6.It is true that with reference to the very same survey number earlier the sale deed was ordered to be registered. But in any event, it can be seen that whenever an objection is received with reference to the claim that the land belongs to the temple, the same is an objection under section 22(A) of the Act, and the same will neither bind the Sub-Register nor presented by the document in *Sudha Ravi Kumar case(cited supra)*. The Sub-Registrar is expected to conduct a summary enquiry and based on the same pass orders



either registering the document or deciding, otherwise the aggrieved party can file an appeal as the case may be. It is the case of the petitioner, the executant that when the Rangarajamaiyar has alienated the property in the year 1933 itself and there has been subsequent documents all along the temple cannot now claim that the property as belonging to Inam property. As the Inam proceedings have all been settled by now and in the absence of any Patta in favour of the temple, the deeds cannot be disputed.

7.Per Contra, the learned counsel for the temple submits that there is no any ryotwari Patta issued by the settlement Tashildar in favour of the private parties.

8.Since the respective contentions are kept open to be raised before the Sub-Register, even the earlier judgment can also be placed before the Sub Register. When the Division Bench contemplated a particular procedure whenever any objection is received with reference to Section 22 A, it is for the Sub-register to have followed the said procedure and in the absence thereof, the impugned refusal check slip cannot stand.

9.In view thereof, this writ petition is ordered on the following terms:

(i)the impugned refusal check slip dated 04.07.2025 shall stand



set aside and the Sub-Registrar shall conduct an enquiry as directed by the Division Bench, more specifically in paragraph 25 of the said judgment, and it will be open for the parties to take further recourse as directed by the Division Bench cited supra. All the contentions of the learned counsel for the petitioner are all kept open to be raised before the Sub Register.

(ii)No costs.

07.04.2026

NCC:Yes/No
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To

- 1.The Special Commissioner and Commissioner,
Hindu Religious and Charitable Endowment Department,
Chennai-14
- 2.The Joint Commissioner,
Sri Renganatha Swami Temple,
Hindu Religious and Charitable Endowment Department,
Srirangam, Trichy.
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D.BHARATHA CHAKRAVARTHY, J.

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