

W.P(MD)No.29392 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated: 09.06.2026

CORAM

THE HONOURABLE MR JUSTICE D.BHARATHA CHAKRAVARTHY

W.P(MD)No.29392 of 2025

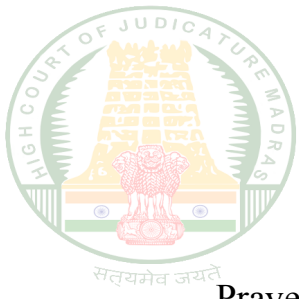
A.Subbiah

... Petitioner

Vs.

1. The Sub Registrar,
Boothapandi Sub Registrar Office,
Kanyakumari District.
2. The Assistant Commissioner,
Hindu Religious and Charitable Endowment,
Nagercoil,
Kanyakumari District.
3. Arulmigu Mutharamman Thirukoil,
Nainarthoppu Represented by its Committee Member,
Mr.A.Ramaswamy,
S/o.Arumugapanickar,
4/11, Nainarthoppu,
Kadukkarai,
Rathnapuram Post,
Kanyakumari District.
(R3 is impleaded vide court order dated 31.10.2025 in
WMP(MD)No.23606 of 2025 in WP(MD)No.29392 of 2025
by GRSJ)

...Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records of the respondent in Refusal Check Slip bearing No. RFL/Boothapandi/80/2025 dated 08.10.2025 and quash the same and consequently direct the respondent to register the lease deed dated 08.10.2025 submitted by the petitioner and thus render justice.

For Petitioner	: Mr.P.Sonu
For R1 & R2	: Mr.R.Parthiban Government Standing Counsel
For R3	: Mr.K.Sheeni Vasani

ORDER

The writ petition is filed challenging the impugned refusal check slip dated 08.10.2025.

2. The petitioner presented a lease deed for registration in favour of a third party in respect of land belonging to the third respondent Temple. The lease was proposed on behalf of the Temple with a view to generating income for the Temple. However, registration of the document was refused on the ground that the property belongs to the Temple.



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3. The learned counsel appearing on behalf of the present Committee Member, who is also the de facto complainant and is administering the Temple, submits that they have no objection to the property being leased out.

4. In view of the above, since a lease of immovable property belonging to the Temple is proposed to be granted, the necessary permission of the Commissioner shall be obtained before the document is presented for registration.

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

- i. The 2nd respondent shall conduct an enquiry and if satisfied that the lease of the temple land is being granted for the purpose of augmenting the income of the Temple, shall prepare an appropriate report and make a recommendation to the Commissioner, HR & CE, seeking the necessary permission. Upon receipt of such report and recommendation, the



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Commissioner, HR & CE, shall pass appropriate orders in accordance with law. Upon the grant of such permission by the Commissioner, it shall be open to the petitioner to re-present the document along with the said permission. On such re-presentation, the lease deed shall be registered, notwithstanding the refusal check slip. The writ petition stands disposed of accordingly.

- ii. The Assistant Commissioner shall complete the enquiry within a period of two months from the date of receipt of a copy of this order and submit a report to the Commissioner, HR & CE. Thereupon, the Commissioner, HR & CE, shall pass final orders in accordance with law within a further period of two months from the date of receipt of the report.
- iii. No costs.

09.06.2026

Neutral Citation: No
rgm



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D.BHARATHA CHAKRAVARTHY, J.

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