



W.P.No.9337 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Dated : 03.09.2025

CORAM
THE HON'BLE Mr. JUSTICE KRISHNAN RAMASAMY

W.P.No.9337 of 2024
and W.M.P.No.13004 of 2024

Kaveri Anbazhagan

... Petitioner

Vs.

1.The District Registrar,
Thiruvallur District Registrar Office,
4vvr+H79, M.V.Street,
Veera Raghva Nagar,
Thiruvallur - 602 001.

2.The Sub-Registrar,
Manavalan Nagar Sub-Registrar Office,
Tiruvallur - 602 001.

3.The Special Tasildhar,
Adi Dravidar Welfare,
Tiruvallur District.

... Respondents

Prayer:

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to consider the representation dated 26.09.2022 directing the respondents 1 & 2 not to prevent any residents of Survey No.322/1B2, Venbakkam Colony, Aranvoyal Village, from



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registering their respective properties who obtained onwership from patta issued by the Adi-Dravidar welfare Scheme Land allotment conveyed through Award No.681/1980 dated 26.06.1981.

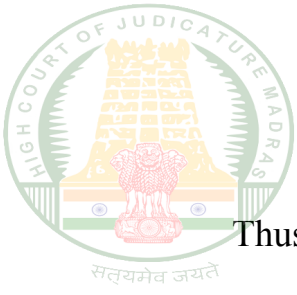
For Petitioner : Mr.Vijay Gurudasan

For Respondents : Mr.U.Baranidharan,
Special Government Pleader

ORDER

The relief sought for in this writ petition is to direct the respondents 1 & 2 not to prevent any residents of Survey No.322/1B2, Venbakkam Colony, Aranvoyal Village, from registering their respective properties who obtained onwership from patta issued by the Adi-Dravidar welfare Scheme Land allotment conveyed through Award No.681/1980 dated 26.06.1981 by considering the representation dated 26.09.2022.

2. Learned counsel for the petitioner would submit that in the present case, the petitioner is the President of Aranvoyal Village, who was allotted land to an extent of 0.95.5 hectors, comprised in S.No.322/1B2 in the Venbakkam Colony, Aranvoyal Village under the Adi-Dravidar Welfare Scheme, due to the renovation of Poondi lake.



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Thus, the petitioner and other residents were issued with separate patta.

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When the residents started to convey their properties to their legal heirs or sold their properties, the second respondent refused to register any properties of residents of Aranvayal Village, citing that the properties were belonged to Gumbamangalam Anjeneyar Temple Devasthanam. In this regard, the petitioner has made a representation dated 26.09.2022 and the Tahsildar, Tiruvallur passed an order dated 07.10.2022, directing for an issuance of Individual Adi-Dravidar land allotment award. Despite which, the residents were not enabled for a free and fair registration and conveyance of their allotted lands. Apart from the above representation, another representation was also made before the first respondent, requesting to register the properties. However, the said representation was not considered, till date. Hence, the petitioner has come forward with the present writ petition.

3. After getting instruction, learned Special Government Pleader appearing for the respondents would submit that in the present case, the petitioner and other residents of Aranvayal Village have obtained the ownership of the land by virtue of Adi-Dravidar Welfare Scheme

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allotment conveyed through Award No.681/1980 dated 26.06.1981 and they were also issued with separate patta. He further submitted that he would follow the procedure, as contemplated by the Hon'ble Division Bench of this Court in the case of ***Sudha Ravi Kumar and Others Vs., The Special Commissioner and Commissioner, Hindu Religious and Charitable Endowments Department and Others, dated 05.04.2017, reported in AIR 2017 Mad 203.***

4. Heard the learned counsel on either side and perused the materials available on record.

5. The facts of the case is not in dispute. The residents of the Aranvayal Village have been allotted the housing plots under the Adi-Dravidar Welfare Scheme land allotment conveyed through Award No.681/1980 dated 26.06.1981. Thereafter, the patta was also issued to all the residents. Now, the residents of the Aranvayal Village are intend to settle their properties either to their legal heirs or alienate to third party by virtue of sale or mortgaging the property. Whenever, they approach the respondents 1 & 2, they refused to register the same citing the reason

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that the properties belonged to Gumbamangalam Anjeneyar Temple Devasthanam.

6. As rightly contended by the learned Special Government Pleader appearing for the respondents, in the event if there is any objection, he has to follow the procedure laid by this Court in the case of ***Sudha Ravi Kumar and Others Vs., The Special Commissioner and Commissioner, Hindu Religious and Charitable Endowments Department and Others, dated 05.04.2017, reported in AIR 2017 Mad 203.*** For better appreciation, the relevant paragraphs of the said order is extracted hereunder:

"24. But this observation of ours shall not be construed that it is our conclusion that ryotwari patta issued to the ryot concerned is the final adjudication relating to the title for the property. We wish to clarify that the final adjudication regarding the title to the property can be had only before a Civil Court. We only say that at the time of registration of the deed, if any objection is made by the religious institution under Section 22-A of the Act, the registering authority shall issue notice afford opportunity to the parties, apply his mind and only from the materials



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available before him, if he is satisfied that the land belongs to the religious institution or given or endowed to the religious institution, then, he shall refuse to register such deed.

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.



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(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 he 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 law laid down by the Hon'ble Division Bench of this Court in the case of ***Sudha Ravi Kumar and Others Vs., The Special Commissioner and Commissioner, Hindu Religious and Charitable Endowments Department and Others***, dated ***05.04.2017***, reported in ***AIR 2017 Mad 203***, the respondents 1 & 2 are



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directed to follow the procedure laid down in the said judgment, in the event any documents is presented for the purpose of registration by any of the residents, who are all residing in S.No.322/1A of Aranvayal Village, by issuing notice to the persons, who are presenting the documents as well as the other persons, who are all making objections to register the said documents and thereafter decide the matter on merits and in accordance with law.

With the aforesaid direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is dismissed.

03.09.2025

Speaking/Non-speaking order
Index : Yes / No
Neutral Citation : Yes / No
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To

1.The District Registrar,
Thiruvallur District Registrar Office,
4vxr+H79, M.V.Street,
Veera Raghva Nagar,
Thiruvallur - 602 001.

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2.The Sub-Registrar,
Manavalan Nagar Sub-Registrar Office,
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Adi Dravidar Welfare,
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KRISHNAN RAMASAMY.J.,

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