



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-08-2025

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THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

WP No. 31419 of 2025

&

WMP No.35159 of 2025

1. T.Muruganantham,
S/o. Thangavel, 1/72-1, Pandian Illam,
Sirupalayam Pudur, Eesaneri,
Coimbatore District.

Petitioner(s)

Vs

1. The District
Registrar(administration),
District Registrar Office, Coimbatore,
Coimbatore District

2.The Sub Registrar,
Gomangalam, Pollachi Taluk,
Coimbatore District.

3.The Joint Commissioner,
O/o. The Joint Commissioner , Hindu
Religious and Charitable Endowments
Department,
Coimbatore 18

Respondent(s)



PRAYER

This Writ Petition has been filed seeking for issuance of a Certiorarified Mandamus, to call for the records pertaining to the impugned Refusal Number in RFL/ Gomangalam/ 37/ 2025 dated 07.08.2025 on the file of the respondent No.2 and quash the same as illegal and consequently direct the respondent No.2 to register the judgment and decree in O.S. no.645 of 2006 dated 01.12.2008 within the time frame as stipulated by this Court.

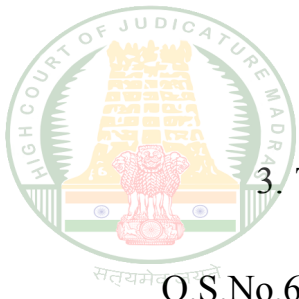
For Petitioner(s): Mr.T.Seeni Syed Amma for
M/s.Roy and Roy Associates

For Respondent: Mr.U.Bharanidharan, Spl.GP for
RR1 & 2
Mr.S.Ravichandran, AGP for R3

ORDER

By consent of learned counsel on both sides, this writ petition is taken up for final disposal at the admission stage itself.

2. This Writ Petition has been filed seeking for issuance of a Certiorarified Mandamus, to call for the records pertaining to the impugned Refusal Number in RFL/ Gomangalam/ 37/ 2025 dated 07.08.2025 on the file of the respondent No.2, quash the same as illegal and consequently direct the respondent No.2 to register the judgment and decree in O.S.No.645 of 2006 dated 01.12.2008 within the time frame as stipulated by this Court.



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3. The case of the petitioner is that, he along with 3 others filed a suit in O.S.No.645 of 2008 before the District Munsif Court, Pollachi for declaration of title in respect of the subject properties and also for consequential permanent injunction restraining the defendants therein from interfering with their possession and enjoyment of the property. The said suit was decreed vide judgment dated 01.12.2008 in favour of the petitioner and others. The said judgment and decree have become final as no appeal was preferred. The grievance of the petitioner is that when the certified copies of the judgment and decree were presented for registration, the Sub Registrar, 2nd respondent herein refused to register the same by issuing the impugned refusal order, dated 07.08.2025 on the ground that Inspector of Hindu Religious and Charitable Endowments raised an objection for registration by filing a protest petition and claimed title over the subject properties.

4. The learned counsel for the petitioner would submit that the Registering Authority is not vested with any quasi judicial power to hold a roving enquiry with respect of the title over the immovable property, but he can hold a summary enquiry for the limited purpose of satisfying himself that the



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presented document deserves to be registered. He would also submit that it is well settled that if there is a serious dispute over the title of the property, such disputed questions cannot be decided by the Registrar at the stage of registering a document. In this regard, the learned counsel relied upon decision of a Division Bench of this Court in the case of “***Sudha Ravikumar versus The Special Commissioner***” reported in AIR 2017 Mad 203 and “***D.Kalaiyaran versus Inspector General***” reported in 2018 SCC Online Mad 7224, wherein, it was held that unless and until the authority has clinching material to show that the property belonged to religious institution, the registration cannot be refused.

5. This Court finds that there is merit in the submissions of the learned counsel for the petitioner and accordingly, the impugned refusal Check slip, dated 07.08.2025 is set aside. It is open to the petitioner to re-present the judgment and decree in O.S.No.645 of 2008 dated 01.12.2008 and on such re-presentation, the 2nd respondent shall proceed with the registration of same if it is otherwise in order, after affording an opportunity to the Temple authorities. But for any reason, if it is sought to be refused, he would do so by assigning the reasons thereof. A copy of the protest petition will be furnished



to the petitioner to enable the petitioner to respond the same.

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6. This Writ Petition is disposed of, accordingly. No costs. Consequently, connected miscellaneous petition is closed.

20-08-2025

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1. The District Registrar(administration),
District Registrar Office, Coimbatore, Coimbatore District

2.The Sub Registrar,
Gomangalam, Pollachi Taluk, Coimbatore District.

3.The Joint Commissioner,
O/o. The Joint Commissioner ,
Hindu Religious and Charitable Endowments Department,
Coimbatore 18



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MOHAMMED SHAFFIQ, J.
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