



W.P.No.36839 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.09.2025

Coram

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.P.No.36839 of 2025

Lakshmi Varakie Educational Trust
Rep. by its President Mr. Palanivel,
Kilapadi and Kaniyanur Village,
Kalavai Taluk,
Ranipet District 632 506.

...Petitioner

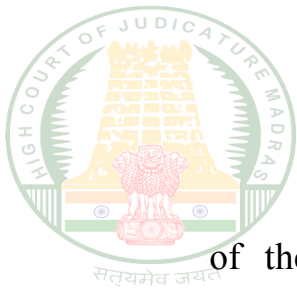
Vs.

1. Inspector General of Registration,
No .100 Santhome High Road,
Chennai- 600028.

2.The Sub Registrar, Arcot
Office of the Sub Registrar Arcot
Near Taluk Office Mupathuvetti
Gramam, Kalavai Road,
Arcot 632 503.

...Respondents

Prayer:Writ Petition filed under Article 226 of the Constitution of India
praying to issue a Writ of Certiorarified Mandamus calling for the records



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of the 2nd respondent and quash the Impugned Refusal Order dated 30.05.2025 bearing refusal Number: RFL/ ARCOT/ 29/ 2025 and direct the 2nd respondent to register Modified Trust Deed dated 02.04.2025 and release the registered sale deed within the time stipulated by this Court.

For Petitioner : Mr.S.Manikandan
For Respondents : Mr.U.Baranidharan
Special Government Pleader

ORDER

Mr.U.Baranidharan, learned Special Government Pleader takes notice on behalf of the respondents. By consent, the main writ petition itself is taken up for disposal at the stage of admission itself.

2. This Writ Petition has been filed challenging the refusal slip of the of the 2nd respondent dated 30.05.2025 and direct the 2nd respondent to register Modified Trust Deed dated 02.04.2025 and release the registered sale deed within the time stipulated by this Court.

3. The learned counsel for the petitioner would submit that the



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petitioner is the Education Trust registered under the Indian Trust Act vide Deed of Trust dated 14.03.2018 and registered in the office of the Sub Registrar. Thereafter, the same has been modified several times. Since no proper activity has been made in the trust, General Trustees Meeting was conducted on 26.01.2025 and declared to modify the activity of the Trust. Therefore, Trust Resolution has been passed for execution of Modified Trust Deed. To comply the resolution, the Petitioner Trust have executed the Modified Trust Deed dated 02.04.2025 and when the same was presented before the 2nd respondent for registration, the same was rejected citing the reason that the same was against the terms and conditions of the Trust Deed.

4. Further, he would submit that the 2nd respondent has no authority to refuse the registration of the Modified Trust Deed when all the procedural compliances are made and necessary stamp duty as well as registration charges/fee are paid. The 2nd respondent is not empowered to determine the legal validity of the document or the trust's internal affairs. In support of his contention, he relied upon the Judgment of Hon'ble Supreme Court in the



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case of ***K.Gopi Vs.Sub Registrar and Others*** reported in ***2025 (2) CTC 777***.

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5. Learned Special Government Pleader appearing for the respondents would submit that since the modified Trust Deed presented by the petitioner is against the by-laws, the 2nd respondent has rejected the same.

6. Heard both sides. Perused the records.

7. I find force in the submission made by the learned counsel for the petitioner that though the petitioner presented the modified Trust Deed before the 2nd respondent for the purpose of registration of the same, after getting approval from the General body, the same was refused citing the reason that it is against the terms and conditions of the Trust Deed. Whether it is against the terms and conditions of the Trust Deed or against by laws, it is not for the respondents to decide the same. The registering authority in the course of registration shall look into whether all the procedures have been duly complied with. In the event, if it is against by-laws it is for the parties to approach the Civil Court. It is not fair on the part of the 2nd



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respondent, to reject the modified Trust Deed citing the reason that the same is against the terms and conditions of the Trust Deed. That apart he has no authority to reject the same on the aforesaid ground.

8. In such view of the matter, this Court is inclined to set aside the impugned refusal order and accordingly the the impugned refusal order dated 30.05.2025 is set aside. The 2nd respondent shall register the Modified Trust Deed dated 20.04.2025 immediately upon the production of the same. No costs.

24.09.2025

Speaking order / Non-Speaking order
Index : Yes / No
Neutral Citation : Yes / No
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KRISHNAN RAMASAMY, J.,

arr

To

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