



W.P.No.42976 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.11.2025

Coram

The Honourable **Mr.Justice Krishnan Ramasamy**

W.P.No.42976 of 2025

and

W.M.P.No.48102 of 2025

Deivanai

...Petitioner

Vs.

1. The Inspector General of Registration,
No.100, Santhome High Road,
Chennai – 600 028.

2. The Joint II Sub Registrar,
1/529, Nerupperichal Village,
Pooluvapatti Post, Tiruppur – 641 602.

3. The Executive Officer,
Arulmigu Visvesvaraswami and Veerarahavaperumal Thirukoil
Hindu Religious and Charitable Endowment Department,
Easwaran Kovil Street, Tiruppur, Tiruppur District -641 604.

...Respondents

Prayer

Writ Petition filed under Article 226 of the Constitution of India



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praying for the issuance of a Writ of Certiorarified Mandamus to call for records relating to the impugned letter dated 22.11.2014, issued by the third respondent and the consequential refusal check slip issued by the second respondent in RFL/Joint II Sub Registrar, Tiruppur/14/2025 dated 07.04.2025 and to quash the same and further to direct the second respondent to register the Memorandum of Agreement evidencing deposit of title deed(Mortgage Deed) dated 02.04.2025 executed by the petitioner.

For Petitioner : M/s.J.Madhumitha

For Respondents 1 & 2 : Mr.Abishek Murthy
Government Advocate

For Respondent-3 : Mr.K.Karthikeyan
Government Advocate (H.R.& C.E.)

Order

Heard M/s.J.Madhumitha, learned counsel appearing for the petitioner, Mr.Abishek Murthy, learned Government Advocate, who takes notice for respondents 1 and 2 and Mr.K.Karthikeyan, learned Government Advocate (H.R.& C.E.) who takes notice on behalf of the respondent No.3

With consent, the main Writ Petition is taken up for final disposal at the



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stage of admission itself.

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2. The challenge in this Writ Petition is to the letter dated 22.11.2014, issued by the third respondent and the consequential refusal check slip issued by the second respondent dated 07.04.2025 and to quash the same and further to direct the second respondent to register the Memorandum of Agreement evidencing deposit of title deed(Mortgage Deed) dated 02.04.2025 executed by the petitioner.

3. Learned counsel for the petitioner would submit that when the petitioner presented the title deeds dated 02.04.2025 for the purpose of registration, the second respondent refused to register the same citing the reason that the property covered in the said title deeds belongs to the third respondent-Temple. It is the further contention of the learned counsel that without conducting any enquiry as regards petitioner's title over the such



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property, the second respondent has issued the Refusal Check Slip in a mechanical manner and impugning the same, the present Writ Petition is filed.

4. The learned Government Advocate for the respondents 1 and 2 since the third respondent-Temple issued a letter dated 22.11.2014 instructing the second respondent not to register any document in respect of the property mentioned in the list (as the same belongs to Temple), the second respondent refused to register the document presented by the petitioner. However, the learned Government Advocate fairly submitted that since the refusal made by the second respondent is without conducting any proper enquiry, he sought for setting aside such impugned Refusal Check Slip and issuing appropriate direction to the respondents 1 and 2 to decide the matter in accordance with law after conducting enquiry, and the same would be complied with.



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The learned Government Advocate for the third respondent-Temple also adopted the similar submission made by the learned Government Advocate appearing for the Registering Authorities, viz., respondents 1 and 2.

6. Heard both sides and perusal the materials available on record.

7. The petitioner, named Deivanai, is the absolute owner of the land, measuring an extent of 2775 sq. ft. comprised in Old T.S.No.899, New T.S.No.9, Ward B, Block No.262, situated at Tiruppur Municipal Town, obtained vide a Settlement Deed dated 26.07.2006 from her husband and all the revenue records, including patta are in the name of the petitioner. The grievance expressed by the petitioner is that, despite she presenting the Memorandum of Agreement evidencing Deposit of Title Deeds (Mortgage



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Deed) dated 02.04.2025, with supporting documents, the second respondent by virtue of the impugned Refusal Check Slip dated 07.04.2025 refused to register the aforesaid document on the ground that the property covered in the Title Deeds belong to third respondent-Temple.

8. However, considering the submissions made by the learned Government Advocate for respondents 1 and 2, who fairly admitted that the impugned Refusal Check Slip has been issued by the second respondent without conducting enquiry, and now the respondents 1 and 2 are intended to conduct enquiry and based on the outcome of such enquiry, appropriate orders would be passed by them and seeks for direction in that regard, this Court is of the view that suffice, it would be, to dispose of the Writ Petition by directing the respondents 1 and 2 to proceed with the matter in consonance the law laid down by the Hon'ble Division Bench, in the case of **Sudha Ravi Kumar Vs. The Special Commissioner and Commissioner of**



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H.R.& C.E. Dept.) reported in A.I.R. 2017 MAD 203.

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9. Accordingly, this Court pass the following orders:-

i The impugned Refusal Check Slip issued by the second respondent dated 07.04.2025 alone is set aside.

ii) The second respondent is directed to issue notice to the petitioner and the parties concerned and conduct an enquiry based on the letter of objection received from the third respondent-Temple dated 22.01.2022 and shall pass orders in accordance with law, bearing in mind the law laid down by the Hon'ble Division Bench, in the case of **Sudha Ravi Kumar Vs. The Special Commissioner and Commissioner of H.R.& C.E. Dept.)** reported in **A.I.R. 2017 MAD 203.**

10. The Writ Petition is allowed on the aforesaid terms. No costs.

Consequently, connected Miscellaneous Petition is closed.



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Index : yes/no

Neutral Citation : yes/no

To

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3. The Executive Officer,

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Hindu Religious and Charitable Endowment Department,

Easwaran Kovil Street, Tiruppur, Tiruppur District -641 604.

Krishnan Ramasamy,J.,

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