



W.A.(MD)Nos.374 & 418 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.02.2025

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN

W.A(MD)Nos.374 & 418 of 2021

and

C.M.P(MD)No.1608 of 2021

W.A(MD)No.374 of 2021:

V.Narayanan Chettiar

... Appellant /
Writ Petitioner

Vs.

1.The Joint Registrar II,
Town Hall, Trichy,
District Registration Officer,
Trichy,
Trichy District – 2.

2.The Joint Commissioner /
Executive Officer,
Arulmigu Aranganathaswamy Temple,
Srirangam,
Trichy – 6.

3.A.Rahamathullah

... Respondents /
Respondents

***(Cause title accepted vide order of this Court dated 21.01.2021 made in
C.M.P(MD)No.352 of 2021 in W.A(MD)SR.No.611 of 2021)***



W.A.(MD)Nos.374 & 418 of 2021

Prayer: Writ Appeal filed under Clause 15 of Letters Patent to set aside the order dated 02.09.2020 in W.P(MD)No.21348 of 2019 and allow the Writ Appeal.

For Appellant : Mr.B.Prasanna Vinoth

For Respondents : Mr.R.Suresh Kumar
Additional Government Pleader
for R.1

Mr.M.Saravanan for R.2

No Appearance for R.3

W.A(MD)No.418 of 2021:

N.Venkatasalam Chettiar

... Appellant /
Petitioner

Vs.

1.The Joint Registrar II,
Town Hall, Trichy,
District Registration Officer,
Trichy,
Trichy District – 2.

2.The Joint Commissioner /
Executive Officer,
Arulmigu Aranganathaswamy Temple,
Srirangam,
Trichy – 6.

3.A.Rahamathullah

... Respondents /
Respondents



W.A.(MD)Nos.374 & 418 of 2021

Prayer: Writ Appeal filed under Clause 15 of Letters Patent to set aside the order of the learned single Judge in W.P(MD)No.21348 of 2019 dated 02.09.2020, allow the Writ petition.

For Appellant : Mr.RM.Arun Swaminathan

For Respondents : Mr.R.Suresh Kumar
Additional Government Pleader
for R.1

Mr.M.Saravanan for R.2

No Appearance for R.3

COMMON JUDGMENT

(Judgment of the Court was delivered by G.R.SWAMINATHAN, J.)

Heard both sides.

2.The appellant in W.A(MD)No.418 of 2021 and the third respondent herein entered into a transaction and the document was presented for registration before the first respondent herein. The first respondent refused to register and issued refusal check slip dated 22.11.2018. Challenging the same, W.P(MD)No.4359 of 2019 was filed. The said writ petition was disposed of by one of us (GRSJ) vide order dated 26.04.2019 by directing the registering authority to abide by the



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directions set out by the Hon'ble Division Bench in the decision reported in **2017 (3) CTC 135 (Sudha Ravi Kumar Vs The Special Commissioner & Commissioner, HR & CE Department)**. Clause 1 of the direction reads as follows:

“(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.”

3.However, without holding any enquiry and without passing any speaking order, the registering authority simply adopted the stand of the objector and once again refused to register the document and issued refusal check slip. Challenging the same, N.Venkatasalam Chettiar filed W.P(MD)No.21348 of 2019. The writ petition was dismissed by the learned single Judge vide order dated 02.09.2020 on the ground that the writ petitioner can very well exhaust the appeal remedy. Questioning the said order, this intra-court appeal has been filed.

4.The issue raised in this appeal lies within narrow compass. It is obvious that the registering authority has not adhered to the direction



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No.1 laid down in *Sudha Ravi Kumar's* case. On this sole ground, the order passed by the registering authority which was impugned in the writ petition is set aside. The matter is once again remitted to the file of the first respondent.

5.We firmly direct the first respondent to bear in mind the direction earlier given vide order dated 26.04.2019 in W.P(MD)No.4359 of 2019. Following the same, a fresh order shall be passed by the registering authority within a period of twelve weeks from the date of receipt of a copy of this order. We make it clear that we have not gone into the merits of the matter.

6.These Writ Appeals are allowed accordingly. No costs. Consequently, connected miscellaneous petition is closed.

[G.R.S., J.] [M.J.R., J.]
17.02.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
MGA



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G.R.SWAMINATHAN,J.

AND

M.JOTHIRAMAN, J.

MGA

To

- 1.The Joint Registrar II,
Town Hall, Trichy,
District Registration Officer,
Trichy,
Trichy District – 2.
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