



W.P(MD)No.4277 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 18.02.2025

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THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

Writ Petition(MD)No.4277 of 2025

Dhanalakshmi

..Petitioner

Vs

1.The Sub Registrar (In charge)
Sub Registrar Office,
Natham,
Dindigul District.

2.The Executive Officer,
Arulmigu Natham Mariamman Thirukovil,
Natham,
Dindigul District.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order in Ni.Aa.No.P.13/2021 dated 20.12.2023 passed by the first respondent and quash the same and consequently to direct the respondents to the 1st respondent to register the sale deed in respect of the land in Survey No. 66/3 with an extent of 96 cents situated at Avichipatti Village, Natham Taluk, Dindigul District within stipulated time by this Court.



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W.P(MD)No.4277 of 2025

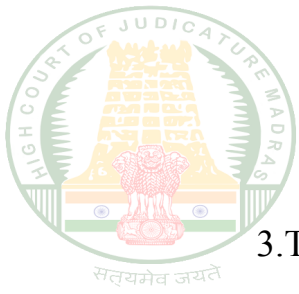
For Petitioner : Mr.M.Ramu
For Respondents : Mr.R.Sureshkumar
Addl. Govt. Pleader (for R1)

Ms.Chitradevi for
Mr.C.Guhaseelaruban (for R2)

ORDER

The petitioner seeks to quash the impugned order in Ni.Aa.No.P.13/2021 dated 20.12.2023 passed by the first respondent and to direct the first respondent to register the sale deed in respect of the land measuring an extent of 96 cents comprised in Survey No.66/3, situated at Avichipatti Village, Natham Taluk, Dindigul District.

2.The petitioner claims that she is the owner of the above mentioned property. She purchased the said property from one Selvam. The said Selvam had filed a writ petition before this Court in W.P(MD)No.7032 of 2017. The said writ petition was disposed of by an order dated 15.07.2020, directing the Sub Registrar to conduct a summary enquiry on the basis of the document presented by Mr.Selvam and on the objection raised by the second respondent/Executive Officer, Arulmigu Natham Mariamman Thirukovil, Natham, Dindigul District.

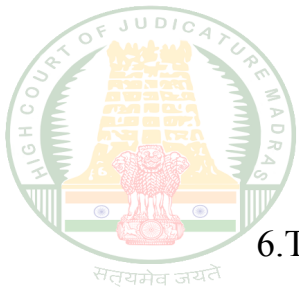


W.P(MD)No.4277 of 2025

3.The petitioner states that the summary enquiry was conducted by the Sub Registrar and he had rejected the plea of the petitioner and accepted the plea of the second respondent. Hence, this writ petition.

4. I heard Mr.M.Ramu, for the petitioner, Mr.R.Sureshkumar, learned Additional Government Pleader for the first respondent and Ms.Chitradevi for the second respondent.

5. A Division Bench of this Court in **Sutha Ravi Kumar vs. The Special Commissioner and Commissioner, H.R and C.E., Chennai** reported in **2017(3) CTC 135** held that if an objection is placed by an authority or the religious institution claiming title over the property, the Sub Registrar shall conduct a summary enquiry and decide, whether the document should be registered or not. After the summary enquiry, if the Sub Registrar comes to the conclusion that the document required to be registered, the religious institution was given right to go to the civil court to claim its title. In case the Sub Registrar refused to register the document, the executant was permitted to approach the civil court seeking declaration of title to the property.



W.P(MD)No.4277 of 2025

6.The contention of the petitioner's counsel that the enquiry itself is defective, as the records produced by the temple had not been perused by the Sub Registrar properly, is not acceptable, in the light of the verdict of the Division Bench. The Sub Registrar has been convinced that the second respondent is a person entitled to the property. Therefore, invoking Section 22A of the Registration Act, he has rejected the plea for registration of the document by the writ petitioner.

7.The remedy, having been concluded by the Division Bench, this writ petition is dismissed leaving it open to the petitioner to approach the jurisdictional civil court. I have to record here that the documents, the writ petitioner sought from the temple, has been handed over by Ms.Chitradevi representing Mr.C.Guhaseelaruban to Mr.M.Ramu. No costs.

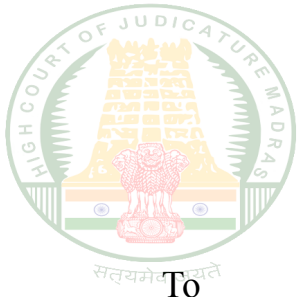
18.02.2025

NCC : Yes/No

Index : Yes/No

Internet:Yes

skn



W.P(MD)No.4277 of 2025

To
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Natham,
Dindigul District.
- 2.The Executive Officer,
Arulmigu Natham Mariamman Thirukovil,
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W.P(MD)No.4277 of 2025

V.LAKSHMINARAYANAN, J.

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