



W.P.(MD)No.11120 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.04.2025

CORAM

THE HONOURABLE MR.JUSTICE **V.LAKSHMINARAYANAN**

W.P.(MD)No.11120 of 2025

M.Selvakumar

... Petitioner

vs.

1.The Sub-Registrar,
Sub-Registrar Office, Karivalamvandhanallur.

2.The Deputy Commissioner /
Executive Officer,
Arulmigu Sankaranarayanar Temple,
Sankarankoil, Tenkasi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the 1st respondent to accept the document for registration to be submitted by the petitioner and to fix the guideline value regarding the punja land to an extent of 30 cents comprised in S.No.183/3A and 31 cents comprised in S.No. 183/3C situated at Manaloor Village, Sankarankoil Taluk enabling the petitioner to pay the market value and stamp duty of the said land for feasible to register the sale deed when the same is presented by the petitioner before the 1st respondent.

For Petitioner	:Mr.S.A.Ganapathyraman
For R1	:Mr.R.Suresh Kumar
	Additional Government Pleader
For R2	:Mr.VR.Shanmuganathan



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ORDER

The petitioner seeks for the following relief:

“Writ of Mandamus directing the 1st respondent to accept the document for registration to be submitted by the petitioner and to fix the guideline value regarding the punja land to an extent of 30 cents comprised in S.No.183/3A and 31 cents comprised in S.No. 183/3C situated at Manaloor Village, Sankarankoil Taluk enabling the petitioner to pay the market value and stamp duty of the said land for feasible to register the sale deed when the same is presented by the petitioner before the 1st respondent.”

2.The petitioner states that he is the owner of the property situated in S.Nos.183/3A and 183/3C of Manaloor Village, Sankarankoil Taluk, Tenkasi District. He had purchased the property in the year 2022 and had also mutated the revenue records in his favour. The petitioner states that when he attempted to alienate the property, he noticed that the guideline value for the property had been reduced to “zero”. It was at that time, he came to know that the second respondent/religious institution had made a claim that the property belongs to it.



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4.I heard Mr.V.Meenakshi Sundaram representing Mr.S.A.Ganapathyraman for the petitioner, Mr.R.Suresh Kumar for the first respondent and Mr.VR.Shanmuganathan for the second respondent.

5.The position of law that when an objection is made by a religious institution against the registration of a title deed has been settled by a judgment of a Division Bench of this Court in ***Sudha Ravikumar vs Special Commissioner and Commissioner of HR & CE, AIR 2017 Mad 203***. The Bench had directed as to how a Sub Registrar should proceed. It has been set out in paragraph 25 of the said judgment, which is extracted hereunder:

“25.In view of the above discussions, all the writ petitions are allowed and the impugned orders are set aside with the following directions:

(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.



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(ii) If the registering authority, refuses to register any document by accepting the objections raised under [Section 22-A](#) of the Registration Act, the aggrieved may file a statutory appeal under the Act.

(iii) If the objections raised under [Section 22-A](#) of the Act by the religious institution are rejected and the document is registered, the remedy for the religious institution is to either approach this Court by way of a writ petition seeking cancellation of the registration or for any other relief or to approach the civil Court for declaration of the title and for other consequential reliefs.

(iv) If the registering authority refuses to register the document acting on the objections raised by a religious institution under [Section 22-A](#) of the Registration Act, the parties to the deed will be at liberty to straightaway approach the Civil Court for declaration of title and other relief without availing the opportunity for filing a statutory appeal.

(v) We further direct that if the deed has already been registered without there being any objection by the religious institution under [Section 22-A](#) of the Act, the document shall be returned to the parties concerned leaving it open for the religious institution to approach either the High Court under [Article 226](#) of the Constitution of India or the Civil Court for appropriate relief as indicated above. At any rate, the registering authority shall not withhold the deed which has already been registered.

(vi) Consequently the connected miscellaneous petitions are closed. No costs."

6. In view of the settled position of law, the Writ Petition is allowed. The first respondent shall issue notice to the petitioner as well as to the second respondent or any other persons authorised by him and shall conduct a preliminary enquiry to decide whether the objection made by the Temple stands *prima facie* scrutiny. In case, the first respondent comes to a conclusion that the objection made by the Temple is tenable, he shall issue a refusal check slip. The



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petitioner can, thereafter, approach the jurisdictional civil Court to workout his right in accordance with law. In case, the first respondent comes to a conclusion that the objection made by the Temple is untenable, he shall reject the same and proceed with registration. No costs.

Index :Yes / No
NCC :Yes / No
cmr

22.04.2025

To

1.The Sub-Registrar,
Sub-Registrar Office, Karivalamvandhanallur.

2.The Deputy Commissioner /
Executive Officer,
Arulmigu Sankaranarayanar Temple,
Sankarankoil, Tenkasi District.



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V. LAKSHMINARAYANAN, J.

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