



W.P.(MD).No.12722 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.04.2025

CORAM

THE HON'BLE MR.JUSTICE V.LAKSHMINARAYANAN

W.P.(MD).No.12722 of 2025

K.Rengarajan

.. Petitioner

Vs.

1.The Special Commissioner and Commissioner,
Hindu Religious and Charitable Endowment Department,
Chennai - 600 014.

2.The Joint Commissioner/Executive Officer,
Sri Aranganatha Swamy Temple,
Srirangam,
Tiruchirapalli District.

3.The Sub-Registrar,
Srirangam Sub-Registration Office,
Srirangam,
Tiruchirapalli District.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus, directing the third respondent to receive and register the sale deed dated 21.03.2025, with respect to the house property situated at New Ward B, New Block.64, New T.S.No.2774/1 part, Vellithirumutham Village to an extent of 10,557 ½ sq.ft where its old T.S. No.1805, Ward.No.2, Block No.34, Nehru Street, Vellithirumutham Village, Srirangam Zone, Tiruchirapalli City Corporation.

For Petitioner : Mr.K.Viralinathan

For R-1 : Mr.K.S.Selvaganesan
Additional Government Pleader



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For R-2 : Mr.M.Saravanan
For R-3 : Mr.R.Suresh Kumar
Additional Government Pleader

ORDER

The Writ Petition is filed for Mandamus to direct the third respondent to receive and register the sale deed dated 21.03.2025, with respect to the house property situated at New Ward B, New Block.64, New T.S.No.2774/1 part, Vellithirumutham Village to an extent of 10,557 ½ sq.ft where its old T.S.No.1805, Ward.No.2, Block No.34, Nehru Street, Vellithirumutham Village, Srirangam Zone, Tiruchirapalli City Corporation.

2. The petitioner claims that the property situated in Old T.S.No.1805, New T.S.No.2774/1 of Vellithirumutham Village, Srirangam Taluk, Tiruchirappalli District belonged to one Jency. She sought to alienate the property in favour of the petitioner on 21.03.2025. When the document was presented for registration, the third respondent refused to register the same on the ground that the second respondent Temple had raised an objection as early as on 17.05.2023. Hence, this Writ Petition.

3. The position of law, that prevails, when a religious institution gives an objection for registration of a document, has been settled by a judgment of the Division Bench of this Court in ***Sudha Ravikumar and another Vs.***



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Special Commissioner and Commissioner of Hindu Religious and Charitable Endowments Department, Chennai and others, 2017 (4)

MLJ 445. The Division Bench had directed as follows:

“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.

(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.



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(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.”

4. In the light of the above judgment, the third respondent/Sub Registrar shall, on presentation of the document by the writ petitioner, shall issue notice to the petitioner as well as to the second respondent, cause a summary enquiry in terms of the aforesaid judgment, and pass appropriate orders. In case the third respondent comes to the conclusion that the second respondent has *prima facie* title, he shall refer the matter to the Civil Court. In case he is convinced that the objection raised by the second respondent is untenable, he shall register the document. The said exercise shall be completed within a period of eight (8) weeks from the date of presentation of the document.

5. Accordingly, the Writ Petition stands disposed of. There shall be no order as to costs.



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NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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To

- 1.The Special Commissioner and Commissioner,
Hindu Religious and Charitable Endowment Department,
Chennai - 600 014.
- 2.The Sub-Registrar,
Srirangam Sub-Registration Office,
Srirangam,
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V.LAKSHMINARAYANAN,J.

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