



W.P(MD)No.17653 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 13.10.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.17653 of 2023

R.Chandrasekar

... Petitioner

Vs.

1.The Sub Registrar,
Sub Registrar Office,
Sankarankovil,
Tenkasi District.

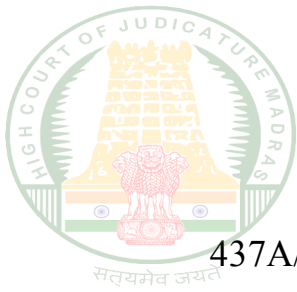
2.Arulmigu Sankaranarayasamy Temple,
Represented by The Assistant Commissioner /
Executive Officer,
Sankarankovil, Tenkasi District.

3.The Revenue Divisional Officer,
Sankarankovil, Tenkasi District.

... Respondents

*(R3 is suo motu impleaded vide order dated
18.07.2025 in W.P.(MD)No.17653 of 2023 by
SSYJ).*

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 1st respondent to accept the document for registration to be submitted by the petitioner with regard to the land comprised in Survey No.437/1B,



W.P(MD)No.17653 of 2023

437A/1B (New subdivision Survey No.437A/1B1) measuring to an extent of 0.58.0 Hectare situated in Kalappakulam Village, Sankarankovil Taluk, Tenkasi District and register the same within a time frame fixed by this Court.

For Petitioner : Mr.M.Prabhu

For Respondents : Mr.G.V.Vairam Santhosh,
Addl. Government Pleader for R1 & R3.
Mr.S.Manohar for R2

ORDER

Heard both sides.

2.This writ petition appears to be pre-mature. The writ petitioner had not presented any document for registration before the first respondent.

3.The apprehension of the writ petitioner is that since in identical matters, objection was raised by the second respondent and in view of the said objection, the first respondent declined to register the document, the same fate will befall on any document that may be presented by him and that is why, this writ petition was filed.

2/6



W.P(MD)No.17653 of 2023

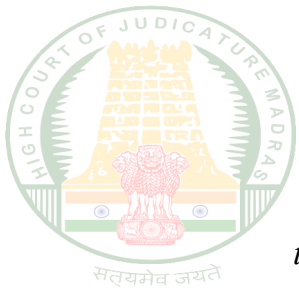
WEB COPY

4.This submission is no doubt attractive. But still, I am not in a position to grant relief because no document has been presented by the writ petitioner.

5.Liberty is granted to the writ petitioner to present any document for registration before the first respondent. If the second respondent raises any objection, the first respondent has to conduct enquiry as mandated by the Hon'ble Division Bench in the decision reported in ***2017 (3) CTC 135 (Sudha Ravi Kumar Vs. The Special Commissioner & Commissioner, H.R & C.E. Department, Chennai)***. For the sake of convenience, the directions of the Hon'ble Division Bench are extracted below:-

“(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



WEB COPY



W.P(MD)No.17653 of 2023

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.”

The first respondent has to strictly adhere to the aforesaid directions as and when any document is presented by the writ petitioner for registration.



W.P(MD)No.17653 of 2023

WEB COPY

6.This writ petition is disposed of accordingly. No costs.

13.10.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
ias

To:

- 1.The Sub Registrar,
Sub Registrar Office,
Sankarankovil,
Tenkasi District.
- 2.The Revenue Divisional Officer,
Sankarankovil, Tenkasi District.



WEB COPY



W.P(MD)No.17653 of 2023

G.R.SWAMINATHAN, J.

ias

W.P(MD)No.17653 of 2023

13.10.2025