



W.P(MD)No.22002 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 01.09.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.22002 of 2025

K.Radha

... Petitioner

Vs.

- 1.The District Collector,
Madurai District,
Madurai.
 - 2.The Assistant Commissioner,
Hindu Religious and Charitable
Endowments Board,
Madurai District.
 - 3.The Executive Officer / Assistant Commissioner,
Arulmigu Subramania Swamy Thirukovil
Thiruparankundram, Madurai.
 - 4.The Tahsildhar,
Thiruparankundram Taluk,
Madurai.
 - 5.The Sub Registrar,
Thiruparankundram,
Madurai.
- ... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the



W.P(MD)No.22002 of 2025

5th respondent to act accordingly in registering any documents pertaining to the land belonging to the petitioner in R.S.No.114/1C, (Plot No.3, Chitrakal Colony, Tirunagar) of Thiruparankundram Village, Madurai , after availing detailed report over the said property as to how the 3rd respondent is claiming the rights over the property within the time frame fixed by this Court.

For Petitioner : Mr.M.Gururaj

For Respondents : Mr.S.Shanmugavel,
Addl. Govt. Pleader for R1, R2, R4 & R5.
Mr.V.Chandrasekar for R3

ORDER

Heard both sides.

2.The petitioner wants the petition mentioned document to be registered.

3.The learned Additional Government Pleader informs the Courts that the petitioner had only taken a token but not presented any document.



W.P(MD)No.22002 of 2025

4.The petitioner anticipates difficulty since the revenue record reflects the name of the third respondent temple.

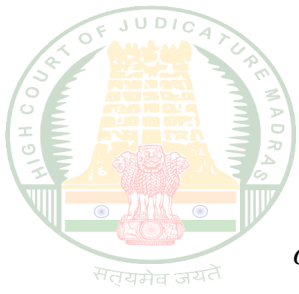
5.The petitioner is entitled to present the document before the fifth respondent. On such presentation, the fifth respondent shall adhere to the directions laid down by the Hon'ble Division Bench in the decision reported in **2017 (3) CTC 135 (Sudha Ravi Kumar Vs. The Special Commissioner & Commissioner, H.R & C.E. Department, Chennai).**

The directions laid down by the Hon'ble Division are 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.

(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



WEB COPY



W.P(MD)No.22002 of 2025

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.

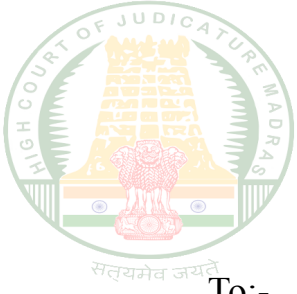
(v) We further direct that if the deed has already been registered without there being any objection by the religious institution under Section 22-A of the Act, the document shall be returned to the parties concerned leaving it open for the religious institution to approach either the High Court under 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.”

6. With the aforesaid liberty to the writ petitioner and direction to the fifth respondent, this writ petition is disposed of. No costs.

01.09.2025

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

4/6



W.P(MD)No.22002 of 2025

To:-
WEB COPY

- 1.The District Collector,
Madurai District,
Madurai.
- 2.The Assistant Commissioner,
Hindu Religious and Charitable
Endowments Board,
Madurai District.
- 3.The Tahsildhar,
Thiruparankundram Taluk,
Madurai.
- 4.The Sub Registrar,
Thiruparankundram,
Madurai.



WEB COPY



W.P(MD)No.22002 of 2025

G.R.SWAMINATHAN, J.

ias

W.P(MD)No.22002 of 2025

01.09.2025