



W.P(MD)No.24033 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 04.09.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.24033 of 2025

K.Muthu Rengan

... Petitioner

Vs.

1.The Sub Registrar,
Thuraiyur,
Trichy District.

2.The Executive Officer,
Prasanna Venkatachalapathy Temple,
Perumal Malai, Athur Road,
Thuraiyur, Trichy District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned Refusal Check Slip passed by the 1st respondent in RFL/Thuraiyur/287/2025 dated 11.08.2025 and quash the same and further directing the 1st respondent to register the sale deed presented by the petitioner on 11.08.2025.



W.P(MD)No.24033 of 2025

For Petitioner : Mr.R.Balakrishnan

For Respondents : Mr.S.Shanmugavel,
Addl. Government Pleader for R1.
Mr.P.Subbaraj,
Spl. Government Pleader for R2.

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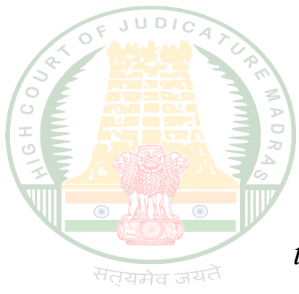
ORDER

Heard both sides.

2.The petitioner had purchased the petition mentioned property under sale deed dated 09.08.2025. It was presented for registration before the first respondent. The first respondent citing the objection received from the second respondent declined to register the document. Challenging the refusal check slip, this writ petition has been filed.

3.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)** had dealt with a similar issue and issued the following directions:-

“(i) The registering authority before whom the document has been presented shall cause service of notice on the parties to



W.P(MD)No.24033 of 2025

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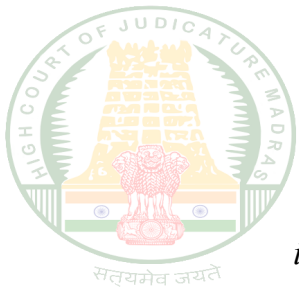
the deeds and also to the objector / religious institution, hold summary enquiry, hear the parties and then either register or refuse to register the document by passing an order having regard to the relevant facts as indicated above.

(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.

(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



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W.P(MD)No.24033 of 2025

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.”

4.It is seen that the aforesaid directions has not been followed by the first respondent. In this view of the matter, the impugned refusal check slip is quashed. The petitioner is permitted to re-present the document before the first respondent. Upon re-presentation of the document by the writ petitioner, the first respondent will adhere to the aforesaid directions and dispose of the matter.

5.This writ petition is allowed accordingly. No costs.

04.09.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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W.P(MD)No.24033 of 2025

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W.P(MD)No.24033 of 2025

G.R.SWAMINATHAN, J.

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