



W.P(MD)No.24201 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 11.09.2025

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.24201 of 2025

Kamala

... Petitioner

Vs.

The Sub-Registrar,
Kulathur Post and Taluk,
Pudukkottai District.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondent to register the sale deed dated 26.04.2025 presented by the petitioner by considering the petitioner's representation dated 06.06.2025.

For Petitioner : Mr.P.Ganapathi Subramanian

For Respondent : Mr.S.Shamugavel,
Addl. Government Pleader.

ORDER

Heard both sides.

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2.The petitioner executed sale deed dated 26.04.2025 in favour of a third party and the same was presented for registration. The document was not accepted for registration. In this background, the present writ petition came to be filed.

3.I permitted the petitioner to go before the registering authority and called upon the registering authority to take a call in the matter. Accordingly, the petitioner appeared before the respondent along with the sale deed. The respondent informed the petitioner that since the property has been endowed for a religious institution, in view of the Section 22A of the Registration Act, registration was not accepted. To this effect, refusal check slip dated 09.09.2025 was issued. Since no enquiry was conducted before issuing the said refusal check slip in the manner indicated 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 refusal check slip dated 09.09.2025 is quashed. The matter is remitted to the file of the respondent. The petitioner shall once again re-present the document. The Hon'ble Division Bench has issued the following directions:-



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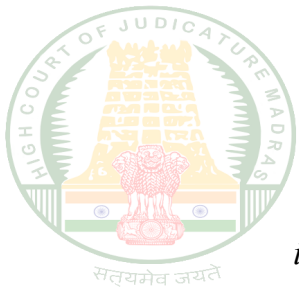
“(i) The registering authority before whom the document has been presented shall cause service of notice on the parties to the deeds and also to the objector / religious institution, hold summary enquiry, hear the parties and then either register or refuse to register the document by passing an order 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.

(v) We further direct that if the deed has already been registered without there being any objection by the religious



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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.”

4.The respondent shall adhere to the aforesaid directions and pass a speaking order. The entire exercise shall be completed within a period of six weeks from the date of re-submission of the document.

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

11.09.2025

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

The Sub-Registrar,
Kulathur Post and Taluk,
Pudukkottai District.



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G.R.SWAMINATHAN, J.

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