



W.P(MD)No.23891 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 03.09.2025

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.23891 of 2025

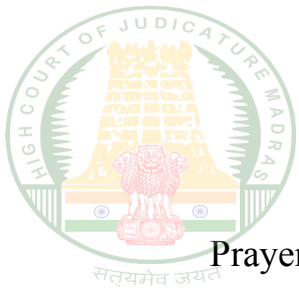
P.Rajasekaran

... Petitioner

Vs.

- 1.The District Registrar,
Virudhunagar Registration District,
Virudhunagar.
- 2.The Sub Registrar,
Seithur Sub Registrar Office,
Seithur,
Virudhunagar Registration District.
- 3.The Inspector,
The Hindu Religious and Charitable
Endowments Department,
Srivilliputtur,
Virudhunagar District.
- 4.The Executive Officer,
Arulmighu Thiru Kaneeswarar
Swamy Thirukovil,
Seithur Village,
Rajapalayam Taluk,
Virudhunagar District.

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records of the second respondent in his proceedings in Refusal Number : RFL/Seithur/86/2025 dated 30.07.2025 and quash the same as illegal, arbitrary, violation of law and further direct the second respondent to register a document, release the same within the stipulated time which this Court may deem fit and proper in the circumstances of this case.

For Petitioner : Mr.M.Jothi Basu

For Respondents : Mr.D.Gandhiraj
Special Government Pleader
for R.1 to R.3

Mr.P.Mahendran for R.4

ORDER

Heard both sides.

2.The petitioner wants to purchase the petition mentioned property.

The sale deed was presented for registration. The second respondent declined to register the document and issued the impugned refusal check slip citing the objection received from the fourth respondent. Challenging the same, this writ petition has been filed.



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3.The Hon'ble Division Bench of this Court in W.A(MD)No.1539 of 2021 (The Joint Commissioner Vs K.Mayilvel & another) had held as follows:

“7.The Hon'ble Division Bench in the decision reported in **2017 (3) CTC 135 (Sudha Ravi Kumar & Others Vs. The Special Commissioner and Commissioner, Hindu Religious and Charitable Endowments Department and Others)** had held that whenever any objection is received from a religious institution, a particular procedure has to be adopted by the registering authority. The directions laid down by the Hon'ble Division Bench are as follows:

“26. 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



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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 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



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authority shall not withhold the deed which has already been registered.

(vi) Consequently the connected miscellaneous petitions are closed. No costs."

Since the aforesaid procedure was not followed by the registering authority, the impugned refusal check slip is quashed. The petitioner is permitted to re-present the document. Thereafter, the second respondent is obliged to follow the directions laid down in ***Sudha Ravi Kumar's*** case.

4.This writ petition is allowed accordingly. There shall be no order as to costs.

03.09.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
MGA

To

1.The District Registrar,
Virudhunagar Registration District,
Virudhunagar.

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G.R.SWAMINATHAN, J.

MGA

- 2.The Sub Registrar,
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