

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED : 09.09.2025****CORAM****THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN****W.P.(MD)No.24417 of 2025**

S.Prabaharan

... Petitioner

Vs.

1. The Special Commissioner and Commissioner,
Hindu Religious and Charitable Endowment Department,
Chennai -14.
2. Srirangam, Arulmigu Arangnatha Swamy Temple,
Rep. by its Joint Commissioner / Executive Officer,
Srirangam, Trichy.
3. The Hereditary Administrative Trustee,
Arulmigu Thiruvaranga Sellaeye (Selli) Amman temple,
Thiruvarangam,
Tiruchirappalli – 620 006.
4. The Sub Registrar,
Sub Registrar Office,
Srirangam,
Tiruchirappalli District.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for records relating to the impugned refusal check slip of the fourth respondent in RFL/Srirangam/83/2025 dated 03.07.2025 and quash the same and consequently direct the fourth respondent to register the settlement deed dated 01.07.2025 executed in favour



of the petitioner and release the same within the time frame fixed by this Court.

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For Petitioner : Mr.P.P.Alwin Balan
For R-1 & R-4 : Mr.D.Gandhiraj,
Special Government Pleader.
For R-2 : Mr.M.Saravanan
For R-3 : Ms.R.Yamuna

* * *

ORDER

Heard both sides.

2. The writ petitioner is the settlor. The settlement deed was not accepted for registration by citing objections from the respondent temple. Challenging the impugned refusal check slip, this writ petition has been filed.

3. It is seen that without holding any enquiry, the refusal check slip was issued. On this ground, the impugned refusal check slip stands quashed. The matter is remitted to the file of the fourth respondent. The fourth respondent will adhere to the directions as set out in **2017 (3) CTC 135 (Sudha Ravi Kumar Vs. The Special**



Commissioner) which read as follows:-

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“25. ...

(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



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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.”

4. The learned counsel for the writ petitioner states that on the adjacent property, this Court already ordered registration. He draws my attention to the order dated **27.02.2025 in W.P.(MD) No.3366 of 2025 (S.Prithivirajan Vs. The Special Commissioner and Commissioner, Hindu Religious and Charitable Endowment Department, Chennai -14)**. The registering authority shall take into account the aforesaid order passed by this Court.



5. The learned counsel for the petitioner states that within

a period of one week, the document will be re-presented. The fourth respondent is directed to conclude the entire exercise and take a decision within a period of six weeks from the date of receipt of a copy of this order. The decision of the fourth respondent will be well informed by reasons. No mechanical decision shall be taken. Leaving open all the contentions on either side, this writ petition stands allowed. No costs.

09.09.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
PMU

To:

1. The Special Commissioner and Commissioner,
Hindu Religious and Charitable Endowment Department,
Chennai -14.
2. The Sub Registrar,
Sub Registrar Office, Srirangam,
Tiruchirappalli District.



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G.R.SWAMINATHAN,J.

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