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W.P.(MD)NO.28708 OF 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.10.2025

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.28708 of 2025 AND

W.M.P.(MD)No.22315 of 2025

A.J.R.Pandiyan

... Petitioner

Vs.

1. The District Collector,
Madurai District.
 2. The Assistant Commissioner,
Hindu Religious and Charitable Endowment Board,
Madurai District.
 3. The Executive Officer / Assistant Commissioner,
Arulmighu Subramania Swamy Thirukovil,
Thirupparankundram, Madurai District.
 4. The Tahsildar,
Thirupparankundram Taluk,
Madurai District.
 5. The Sub Registrar,
Thirupparankundram,
Madurai District.
- ... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to impugned Refusal Check Slip in RFL/Thiruparankundram/4/2025 dated 31.07.2025 of the 5th



respondent herein and quash the same and consequently direct the 5th respondent herein to register the document presented by the petitioner.

For Petitioner : Mr.T.Pon Ramkumar

For Respondents : Mr.S.Shanmugavel,
Additional Government Pleader.

* * *

ORDER

Heard the learned counsel appearing for the writ petitioner and the learned Additional Government Pleader appearing for the respondents.

2. Settlement deed dated 31.07.2025 was executed by the writ petitioner in favour of his daughter Selvarani. The document was presented for registration. Citing objection from the third respondent temple, registration was refused.

3. Challenging the same, this writ petition has been filed.

4. It is seen that the registering authority had mechanically



passed the impugned order. The directions laid down in ***Sudha Ravi Kumar Vs. The Special Commissioner & Commissioner, HR&CE Department (DB) (2017 (3) CTC 135)*** were not adhered to.

5. In this view of the matter, the impugned refusal check slip is quashed. The matter is remitted to the file of the fifth respondent. The Hon'ble Division Bench in ***Sudha Ravi Kumar*** case had held as follows:-

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

The petitioner is permitted to re-present the document and the registering authority shall adhere to the directions set out above.

This writ petition stands allowed accordingly. No costs.

Consequently, connected miscellaneous petition is closed.

15.10.2025

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

To:

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