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W.P.(MD)NO.32787 OF 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.11.2025

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.32787 of 2025

Charles

... Petitioner

Vs.

1. The District Registrar,
Tenkasi District,
Tenkasi.
2. The Sub Registrar,
Tenkasi Joint Sub Registrar No.1,
Tenkasi.
3. The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
West Car Street,
Thoothukudi.
4. The Executive Officer,
Arulmigu Thiruvilanji Kumarar Temple,
Ilanji 627 805,
Tenkasi District.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 and 2 herein to ignore the objection raised by the fourth respondent as against the petitioner's property comprised in Ayan Punja S.No.602/1A1A situated at Ilanji Village, Courtallam-Five



Falls Road, Tenkasi District based on the petitioner's representation dated 16.09.2025.

For Petitioner : Mr.D.Srinivasaragavan
For R-1 & R-2 : Mr.S.Shanmugavel,
Additional Government Pleader.

* * *

ORDER

Heard the learned counsel appearing for the writ petitioner and the learned Additional Government Pleader appearing for respondents 1 and 2.

2. The prayer now sought for cannot be granted. As and when any document is presented and objection is received from the fourth respondent, the registering officer should hold an enquiry in terms of the directions set out in ***Sudha Ravi Kumar Vs. The Special Commissioner & Commissioner, HR&CE Department (DB) (2017 (3) CTC 135)***. For easy reference, the directions set out in the aforesaid decision is 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 registering officer should adhere to the procedure as mentioned above. This writ petition stands disposed of. No costs.

18.11.2025

NCS : Yes / No
Index : Yes / No
Internet : Yes/ No

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To:

1. The District Registrar,
Tenkasi District,
Tenkasi.
2. The Sub Registrar,
Tenkasi Joint Sub Registrar No.1,
Tenkasi.
3. The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
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G.R.SWAMINATHAN,J.

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