



**W.P(MD)No.33851 of 2025**

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

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**DATED : 25.11.2025**

**CORAM**

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

**W.P(MD)No.33851 of 2025**

**and**

**W.M.P(MD)No.26752 of 2025**

I.Prabhu

... Petitioner

Vs.

The Sub Registrar Joint – I,  
Joint – I Sub Registrar Office,  
Kanyakumari,  
Kanyakumari District.

... Respondent

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 impugned Refusal Check Slip in Refusal Number RFL/Joint-I Sub Registrar Kanyakumari/84/2025 dated 06.11.2025 passed by the Respondent herein and quash the same as illegal and further direct the Respondent herein to register and release the settlement deed dated 06.11.2025 presented by petitioner pertaining to New S.No. 190/6A, now subdivided into New S.No.190/6A5A to an extent of 3.503 Cents(1.31 Ares) in Plot No.1, lyshika Garden, Vadiveeswaram East



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Village, Agastheeswaram Taluk, Kanyakumari District, within a time stipulated by this Court.

For Petitioner : Mr.R.Murugan

For Respondent : Mr.G.V.Vairam Santhosh  
Additional Government Pleader

### **ORDER**

Heard both sides.

2.Settlement deed dated 06.11.2025 executed in favour of the writ petitioner was presented for registration. The registering authority cited an objection received from the Assistant Commissioner, HR&CE, Nagercoil and declined to register the document. Admittedly, the directions issued in ***Sudha Ravi Kumar's*** case ***(2017 (3) CTC 135)*** were not followed. On this sole ground, the impugned refusal check slip is quashed.

3.The matter is remitted to the file of the respondent to follow the procedure laid down in ***Sudha Ravi Kumar's*** case. For easy reference the directions laid down by the Hon'ble Division Bench in the said case are extracted as under:

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*“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 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*



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*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.*

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

4.The petitioner is permitted to re-present the document. The registering authority will adhere to the directions set out above. The entire exercise shall be completed by the respondent within a period of eight weeks from the date of receipt of a copy of this order.



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**WEB COPY** 5.This Writ Petition is disposed of accordingly. No costs.

Consequently, connected miscellaneous petition is closed.

**25.11.2025**

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

To

The Sub Registrar Joint – I,  
Joint – I Sub Registrar Office,  
Kanyakumari,  
Kanyakumari District.



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**G.R.SWAMINATHAN, J.**

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