



WP(MD)No.35031 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.12.2025

CORAM:

THE HONOURABLE MR.JUSTICE **B.PUGALENDHI**

WP(MD)No.35031 of 2025

Sekar

...Petitioner

Vs

1.The Sub-Registrar,
Sankarankovil Sub Registrar Office,
Tenkasi District.

2.The Executive Officer / Deputy Commissioner
Arulmigu Sankaranarayana Swamy Thirukovil,
Sankarankovil, Tenkasi District.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a writ of Certiorarified Mandamus call for the records in the impugned check slip in RFL/Sankarankovil/91/2025 dated 30.05.2025 on the file of the 1st respondent and consequently direct the 1st respondent to register general power deed dated 30.05.2025 within time frame to be fixed by this Court.

For Petitioner : Mr.S.Kumar

For Respondent : Mr.K.R.Badurus Zaman,
No.1 Government Advocate

For Respondent : Mr. S.Manohar
No.2



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ORDER

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The petitioner has submitted a document for registration of a land in S.No.608/2 on 30.05.2025 and the same has been rejected by the 1st respondent vide the impugned refusal check slip based on the objection raised by the 2nd respondent. Therefore, the petitioner has filed this writ petition.

2.The learned counsel for the petitioner by referring to the order passed by a Division Bench of this court in ***Sudha Ravi Kumar vs. The Special Commissioner, HR and CE Department, Chennai [2017 (3) CTC 135]*** submits that if the document presented for registration is to be rejected, it must be done by conducting summary enquiry.

3.The Hon'ble Division Bench of this Court ***Sudha Ravi Kumar's*** case cited supra has issued certain directions as under:

“25. In view of the above discussions, all the writ petitions are allowed and the impugned orders are set aside with the following directions:



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(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.*



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(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. In view of the above directions, the writ petition is allowed. The impugned order is set aside. The 1st respondent is directed to conduct an enquiry and proceed further as per the above order of the Division Bench. No costs. Consequently connected miscellaneous petition is closed.

08.12.2025

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B.PUGALENDHI.J.,

DSK

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