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W.P.No.753 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.01.2026

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THE HONOURABLE MR.JUSTICE **SENTHILKUMAR RAMAMOORTHY**

W.P.No.753 of 2026

T.K.Krishnan

.. Petitioner

VS

The Sub Registrar,
Sowcarpet,
Office of the Sub Registrar,
Leelavati Building, 3rd Floor,
East Wing, 69, Armenian Street,
Chennai – 600 001.

.. Respondent

Petition filed under Article 226 of The Constitution of India praying for the issuance of a writ of certiorarified mandamus to call for the records of the respondent pertaining to the impugned refusal check slip in RFL/Sowcarpet/17/2025 dated 30.05.2025 and quash the same and consequently direct the respondent to register the Will in accordance with law.

For Petitioner : Mr.P.Seshadri

For Respondent : Mr.U.Baranidharan,
Special Government Pleader

ORDER

The petitioner executed a Will on 29.05.2025 bequeathing the immovable property described in paragraph 2 of the affidavit. When



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presented for registration, the request was declined under the impugned refusal check slip.

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2. Learned counsel for the petitioner submits that the registration of a Will cannot be declined on the basis that the land is classified in the revenue records as temple land.

3. Mr.U.Baranidharan, learned Special Government Pleader, accepts notice for the sole respondent. He submits that the matter may be remanded for re-consideration so as to enable notice to be issued to the petitioner and the temple before a decision is taken.

4. In the impugned refusal check slip, the reason for refusal is recorded as 'Government/HR & CE/Wakf Board/Boomidhan/Panchami lands'. No further particulars are available. In effect, the order is unreasoned and cannot be sustained. In addition, in matters wherein the revenue records indicate that the land belongs to a temple, the Division Bench of this Court issued directions in *Sudha Ravi Kumar vs. Special Commissioner and Hindu Religious and Charitable Endowments Department, Chennai 34 and Others (2017 (3) CTC 135)*. The directions at paragraph No.25, include service of notice to the parties to the document and to the religious institution and the consideration of objections before a decision is taken. Both on



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account of being unreasoned and in view of non-compliance with the said directions, the impugned order is unsustainable. Consequently, the said order is set aside and the matter is remanded to the registering officer for re-consideration. After issuing notice to the petitioner and the temple, a speaking order shall be issued in terms of Section 71 of the Registration Act, 1908 after providing a reasonable opportunity to the above mentioned parties. Such order shall be issued within one month from the date of re-presentation. If the registering officer finds that the request for registration is in accordance with law, necessary steps for registration shall be taken.

5. This writ petition is disposed of on the above terms. There shall be no order as to costs.

27.01.2026

Index:Yes/No
Neutral Citation:Yes/No
mmi

To

The Sub Registrar,
Sowcarpet, Office of the Sub Registrar,
Leelavati Building, 3rd Floor,
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SENTHILKUMAR RAMAMOORTHY,J.

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