



W.P.(MD) No.1972 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.01.2026

CORAM

THE HONOURABLE MR. JUSTICE KRISHNAN RAMASAMY

W.P.(MD)No.1972 of 2026

Mahadevan

... Petitioner

Vs

1.The District Registrar,
Department of Registration,
Nagercoil,
Kanyakumari District.

2.The Sub Registrar,
Department of Registration,
Vadasery, Nagercoil,
Kanyakumari District.

3.S.Venkata Ramanan

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the impugned refusal check slip as issued by the 2nd respondent dated 28.11.2025 under reference No.RFL/Vadasery/118/2025 and subsequently quash the same as illegal, erroneous and consequently direct the 2nd respondent to register the refused drafted sale deed bearing No.TP/240928718/2025 in relation to the property bearing Survey No.6



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measuring to an extent of 164.025 sq.mt equivalent to 4.05 cents situated at Vadasery, Nagercoil, Kanyakumari District forthwith.

For Petitioner : Mr.S.Palanivelayutham
For Respondents : Mr.A.Kannan,
Addl. Govt. Pleader for R1 & R2

ORDER

This Writ Petition is filed challenging the impugned refusal check slip issued by the 2nd respondent dated 28.11.2025.

2. By consent, this Writ Petition is taken up for final disposal at the admission stage itself. Since no adverse order is going to be passed against the 3rd respondent, notice to him is dispensed with.

3. The grievance of the petitioner is that when the petitioner presented a sale deed dated 28.11.2025 for registration, the same was refused to be registered on the ground that the subject property belongs to Tahliyal Mahathevar Temple. Challenging the same, the petitioner has filed this Writ Petition.



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4. The learned counsel appearing for the petitioner would submit that without issuing any notice to the petitioner and without conducting any enquiry, the impugned order was passed. He further submitted that in the civil Court it was declared that the properties belonged to a religious denominational trust. Therefore, the subject property is not a temple property. Hence, the impugned order is liable to be set aside.

5. The learned Additional Government Pleader appearing for the respondents 1 and 2 would fairly submitted that without issuing notice to the petitioner and without conducting any enquiry, the impugned order was passed. Therefore, the impugned order may be set aside and remitted back to the 2nd respondent for fresh consideration.

6. This Court heard the submissions made by the learned counsel appearing for the petitioner as well as the learned Additional Government Pleader appearing for the respondents 1 and 2 and perused the materials available on record.



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7. Considering the facts and circumstances of the case, this

Court is of the considered view that before issuing any impugned refusal check slip, the respondents have supposed to conduct enquiry with regard to the status of the property and after perusing the available materials, the respondents have supposed to take a decision for registration of any document. In the present case, the said procedure is not followed. Therefore, the impugned order is liable to be set aside.

8. Accordingly, the impugned order is set aside and the matter is remitted back to the file of the 2nd respondent for fresh consideration. The petitioner is directed to represent the sale deed dated 28.11.2025. Upon representation, 2nd the respondent, after issuing notice to the petitioner as well as the other parties concerned and after hearing the parties, is directed to take a decision with regard to the registration of the sale deed dated 28.11.2025.

9. With the above observations, this Writ Petition is allowed.

There shall be no order as to costs.

28.01.2026

vsm

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To

1.The District Registrar,
Department of Registration,
Nagercoil,
Kanyakumari District.

2.The Sub Registrar,
Department of Registration,
Vadasery, Nagercoil,
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KRISHNAN RAMASAMY, J.

vsm

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