



WP(MD). No.2272 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Date : 30/01/2026

CORAM

The Hon`ble Mr.Justice KRISHNAN RAMASAMY

WP(MD). No.2272 of 2026

1. N.Ramesh

2. S.Devendran

... Petitioners

Vs

1. The District Registrar,
Kanyakumari District, Nagercoil..

2. The Sub Registrar,,
Boothapandi Sub Registrar Office,
Boothapandi, Kanyakumari District..

3. Raju,,
S/o.Chinnathambi,
No.44, Vetturnimada, Agastheeswaram Taluk,
Kanyakumari-629 003.

... Respondents

PRAYER :- Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Mandamus directing the respondents herein to register and release the Sale Deed presented by the petitioners and pending as Document No.11/2024 on the file of the 2nd respondent.

For Petitioner : Mr.S.S.Suthakaran

For Respondents : Mr.A.Kannan for R1 and R2
Additional Government Pleader



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ORDER

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This writ petition has been filed for a mandamus directing the respondents herein to register and release the Sale Deed presented by the petitioners and pending as Document No.11/2024 on the file of the 2nd respondent.

2. By consent of both sides, the writ petition is taken up for final disposal, at the stage of admission itself. Heard the learned counsel for the petitioners and the learned Additional Government Pleader for the respondents 1 and 2. Since no adverse orders are going to be passed against the third respondent, notice is dispensed with.

3. The petitioners purchased the land in question and executed a sale deed and presented the sale deed for registration. However, the said sale deed was refused to be registered by the 2nd respondent on the ground that since the earlier patta contained the name of Kuruman Kulam Madam of Manickavasagam, Parameswaran family, Thazhakudy, the petitioner has to obtain no objection from the HR&CE Department. Hence, the 2nd respondent has kept the document as pending document.



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Therefore, the petitioners are before this Court.

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4. It is contended by the learned counsel for the petitioners that without following the law laid down by Sudha Ravikumar's case, the second respondent has mechanically kept the document pending without registering the same.

5. The learned Additional Government Pleader would fairly submit that in the present case, since the law laid down in Sudha Ravikumar's case is not followed, the matter may be remitted back to the 2nd respondent and a direction may be issued to the 2nd respondent to consider and pass orders.

6. I have considered the rival submissions and perused the materials available on record.

7. It is seen that in the present case, when the sale deed was presented by the petitioners, it was kept as pending document on the ground that the earlier patta contain the name of the Mutt and without there being no objection certificate from the HR&CE Department, the



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document could not be registered. However, as per the law laid down by this Court in *AIR 2017 Madras 203 [Sudha Ravi Kumar and another Vs. The Special Commissioner and Commissioner, Hindu Religious and Charitable Endowments Department, Chennai and another]*, the authorities are bound to conduct enquiry by issuing notice to the parties concerned.

8. Considering the submissions made on either side, the matter is remanded back to the 2nd respondent for considering afresh by issuing notice to all the parties by following the law laid down by this Court in *AIR 2017 Madras 203 (supra)*. The petitioners are directed to represent the document and upon receipt of the same, the 2nd respondent is directed to issue notice to the petitioner as well as the other interested parties and upon conducting an enquiry strictly in accordance with the law laid down in the aforesaid judgment, the 2nd respondent shall take a decision with regard to the registration and pass appropriate orders on merits and in accordance with law as expeditiously as possible. No costs.

30.01.2026

NCC : Yes/No

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Index : Yes/No

RR

To

1. The District Registrar,
Kanyakumari District, Nagercoil..

2. The Sub Registrar,,
Boothapandi Sub Registrar Office,
Boothapandi, Kanyakumari District..



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KRISHNAN RAMASAMY, J

RR

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