



W.P.(MD)No.5598 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.03.2026

CORAM:

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.(MD)No.5598 of 2026

K.Selvarani

... Petitioner

-VS-

1.The District Registrar (Admin),
Registration Department,
Contonement,
Trichirapalli.

2.The Sub-Registrar,
O/o. Kanakkiliyanallur Sub-Registrar,
Trichirapalli District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned refusal check slip issued by the second respondent in Refusal Number: RFL/Kanakiliyanallur/8/2026 dated 17.02.2026 and quash the same illegal and consequent thereon directing the second respondent to register the settlement deed presented before him on 17.02.2026/in respect of the property, situated in S.No.294/5, Lalkudi Taluk at Periyakurukkai Village, Trichirapalli District, in accordance with law within a stipulated time.



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For Petitioner : Mr.N.Marimuthu
For Respondents : Mr.M.Gangatharan
Government Advocate

ORDER

This writ petition is filed challenging the impugned check slip dated 17.02.2026.

2. Upon hearing the learned counsel for the petitioner and perusing the materials on record, it is seen that the impugned check slip has been issued on the basis of an objection received under Section 22A of the Registration Act, 1908 [hereinafter referred to as 'the Act'], to the effect that the property belongs to Kalai Mahal Sabha and, therefore, the same cannot be alienated.

3. Whenever an objection is received by the registering authority under Section 22A of the Act, the procedure to be followed has already been laid down by a Division Bench of this Court in ***Sudha Ravi Kumar and another vs. The Special Commissioner and Commissioner, Hindu Religious and Charitable Endowments Department, Chennai and others***¹. It is useful to refer to paragraph

¹ (2017) 3 CTC 135



25 of the said judgment.

"25. 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 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.



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

4. From the said decision, it is clear that the Sub-Registrar is not bound by the objection letter by itself. He is required to conduct an enquiry by issuing notice to the parties concerned, afford them an opportunity of hearing, permit them to produce relevant documents in support of their respective claims, and thereafter pass orders in accordance with law. If registration is refused, the aggrieved party is at liberty to approach the competent civil court.

5. In view of the above, this writ petition is disposed of on the following terms:

(i) The impugned check slip dated 17.02.2026 is set aside.

(ii) The Sub-Registrar shall issue notice to the petitioner as well as to the objector with reference to the claim made under Section 22A of the Act, conduct an enquiry, and pass appropriate orders in accordance with law and in the light of the judgment of the Division Bench of this Court referred to above.

(iii) Depending upon the outcome of the enquiry, it is open to the aggrieved party to approach the competent civil court or file an appeal as the case may be.



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(iv) The enquiry shall be completed within a period of twelve (12) weeks from the date of receipt of web copy of the order without waiting for the certified copy.

No costs.

Neutral Citation : Yes / No
smn2

02.03.2026

To:-

- 1.The District Registrar (Admin),
Registration Department,
Contonement,
Trichirapalli.
- 2.The Sub-Registrar,
O/o. Kanakkiliyanallur Sub-Registrar,
Trichirapalli District.



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D.BHARATHA CHAKRAVARTHY, J.

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