



W.P(MD)No.5511 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated: 02.03.2026

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THE HONOURABLE MR JUSTICE D.BHARATHA CHAKRAVARTHY

**W.P(MD)No.5511 of 2026
and
WMP(MD) No.4627 of 2026**

1.Dhavanoothan

2.Krishnamoorthy

... Petitioners

Vs.

1.The State of Tamilnadu
Rep its Inspector General
Department of Registration
No.100, Santhome High Road
Chennai-28.

2.The Deputy Inspector General of Registration
Department of Registration
Othakadai
Madurai.

3.The District Registrar
Department of Registration
Dindigul District
Dindigul.

4.The Sub-Registrar
O/o. the Sub-Registrar
Natham
Dindigul District.

...Respondents



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Writ Petition is filed under article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, to call for the Records of the impugned Refusal Check Slip in Refusal Number-RFL/Natham/10/2025 dated 27.01.2025 passed by the Respondent No.4 and quash the same as illegal and consequently direct the Respondent Nos. 1 to 4 to permit the Petitioners to execute any transaction like sale, gift, mortgage, lease etc., with regard to their properties in Survey Numbers.275/2B, 275/2D, 275/2G, 275/2K. 275/2L, 275/2M, 275/2A, 275/2E, 275/2H, 275/2I, 275/2J, 275/2C, 275/2F and 332/1 situated at Natham Village, Ayan Natham Village, Natham Taluk, Dindigul District.

For Petitioners :Mr.T.Thirumurugan

For Respondents :Mr.F.Deepak
Special Government Pleader

ORDER

The writ petition is filed challenging the impugned refusal check slip in Refusal Number-RFL/Natham/10/2025, dated 27.01.2025, passed by the fourth respondent and to quash the same as illegal.

2.Upon hearing the learned counsel for the petitioners and perusing the material records of the case, it can be seen that claiming ownership of the property, when the petitioners had presented the document for registration upon a letter received from the Bhoodan Board under Section 22A of the Registration Act, 1908, the check slip has been issued. This question has



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already been decided by the Division Bench of this Court in ***Sudha Ravi***

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Kumar and another vs. The Special Commissioner and Commissioner,

Hindu Religious and Charitable Endowments Department, Chennai and

others reported in (2017) 3 CTC 135 and in such scenario, the things to be

done by the Sub-Register as also the parties are enumerated in paragraph 25 of

the said judgment and the same is extracted hereunder for ready reference:-

"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



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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."

3. Therefore, it is clear that the Sub-Registrar has to conduct an enquiry by hearing the petitioners as well as the person, who is now in-charge of the affairs of the Board or any subordinate officials nominated thereunder. After conducting an enquiry, orders have to be passed and if the Sub-Registrar is of the opinion after the enquiry that the document cannot be registered or the document can be registered, it is for the aggrieved party to approach the appropriate Civil Court or file an appeal.

4. In view thereof, this Writ Petition is disposed of on the above terms. The impugned check slip in Refusal Number-RFL/Natham/10/2025 dated 27.01.2025 is hereby set aside and the matter is remitted back to the file of the fourth respondent for fresh consideration. The fourth respondent shall issue notice to the petitioners and also to any responsible officer representing the Board and decide the issue as per the directions given by the Division Bench of this Court in *Sudha Ravi Kumar's case* stated supra.



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No costs. Consequently, connected Miscellaneous Petition is closed.

02.03.2026

NCC : Yes / No

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To

1.The Inspector General
Department of Registration
No.100, Santhome High Road
Chennai-28.

2.The Deputy Inspector General of Registration
Department of Registration
Othakadai
Madurai.

3.The District Registrar
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