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W.P(MD)No.6290 of 2026



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 10.03.2026

CORAM

**THE HONOURABLE MR JUSTICE D.BHARATHA
CHAKRAVARTHY**

W.P(MD)No.6290 of 2026

Muthukrishnan

... Petitioner

Vs.

1.The District Registrar(Administration)
Madurai South District,
Madurai.

2.The Sub-Registrar,
Usilampatti,
Madurai District.

3.The Assistant Commissioner,
Hindu Religious and Charitable Endowments
Then
Then District.

4.Mr.Muthiah

...Respondents

Writ Petition is filed under article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, calling for the records relating to refusal No.RFL/Usilampatti/17/2026 dated 25.02.2026 issued by the 2nd respondent herein and quash the same and consequently direct the 2nd respondent to register the document presented by the petitioner without insisting upon any No Objection Certificate from the third respondent and individual patta.



For Petitioner
For R1 and R2

For R3

:Mr.S.Sri Krishnan
:Mr.D.S.Nedunchezian
Government Advocate
:Mr.J.K.Jayaseelan
Government Advocate

ORDER

This writ petition is filed challenging the impugned refusal check slip dated 25.02.2026.

2.Upon perusal of the Check slip, it can be seen that considering a letter as an objection, as if the property belongs to the temple, and presented by the petitioner is refused to be registered.

3.The learned counsel by pointing out the particular communication submits that the communication only states that the temple is not giving any No Objection Certificate in respect of the properties. Nowhere in the communication, it is conveyed that the present property is the temple property and therefore, the impugned refusal check slip is passed without even considering the said communication.

4.The learned Government Advocate appearing on behalf of the authorities and on the temple are also heard.



5. Whenever the Sub-Registrar is afforded with any request under Section 22 A, the procedure that should be adopted already laid down by the 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***, reported in ***(2017) 3 CTC 135***. The detailed directions that were given under paragraph 25 is extracted here under 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 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.

6. In view thereof, the impugned check slip dated 25.02.2026 shall stand set aside. The Sub-Registrar, shall conduct an enquiry by issuing notice to the petitioner as well as to the temple authorities. If the contention of the petitioner that the temple is not even claiming the property as the temple can also be considered by the Sub-Registrar and the temple can also put forth its view as to whether it is objecting to the registration of the document claiming to be its property. Even if it claims, the Sub-registrar is not bound by the claim alone. The Sub-Registrar has to decide on merits by considering the documents



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filed by the petitioner as well as the temple and the aggrieved party, as directed by the Division Bench and file appeal or approach the Civil Court, as the case may be. With reference to the other relevant records relating to the property, the learned counsel submits the original document is with the petitioner and the joint Pata is also there. No costs.

10.03.2026

NCC:Yes/No

Ns

To

1.The District Registrar(Administration)

Madurai South District,

Madurai.

2.The Sub-Registrar,

Usilampatti,

Madurai District.

3.The Assistant Commissioner,

Hindu Religious and Charitable Endowments

Then

Then District.

D.BHARATHA CHAKRAVARTHY, J.

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