



W.P.(MD) No.7798 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.03.2026

CORAM

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.(MD) No.7798 of 2026

Murugesan

... Petitioner

Vs.

1.The Sub-Registrar,
Sankarankovil,
Tenkasi District.

2.The Executive Officer,
Arulmigu Sankaranarayanaswami Thirukovil,
Sankarakovil,
Tenkasi District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorarified Mandamus to call for records relating to the impugned Refusal Check Slip *vide* RFL/Sankarankovil/13/2026 dated 23.02.2026 and quash the same and consequently direct the first respondent to register and release the Settlement Deed dated 23.02.2026 executed by the petitioner in favour of his wife namely Maragathavalli, within the time fixed by this Court.

For Petitioner : Mr.P.Praveenkumar



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For R1 : Mr.F.Deepak
Special Government Pleader

For R2 : Mr.S.Manohar

ORDER

This Writ Petition is filed challenging the impugned Refusal Check Slip dated 23.02.2026.

2. Upon hearing the learned counsel on either side and perusing the impugned order, it can be seen that the refusal check slip has been issued on the ground that an objection has been received from the H.R. & C.E. Department stating that the property belongs to Arulmigu Sankaranarayanadaswami Thirukovil, Sankarakovil, Tenkasi District. It can be further seen that upon receipt of a letter under Section 22-A of the Registration Act, 1908, the document cannot be straightaway refused. The first respondent shall follow the procedure as laid down by the Honourable Division Bench of this Court in ***Sudha Ravi Kumar and others Vs. The Special Commissioner and Commissioner of H.R. & C.E. and others***, reported in 2017 (3) CTC 135. The directions given by the Division Bench in paragraph 25 are extracted for ready reference.



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“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. In view of the same, this Writ Petition is allowed on the following terms:

- i. The impugned refusal check slip dated 23.02.2026 shall stand set aside and the matter is remanded back to the file of the first respondent.
- ii. The first respondent shall conduct an enquiry as directed by the Hon'ble Division Bench of this Court in ***Sudha Ravi Kumar*** (cited *supra*), by issuing due notice to the petitioner as well as the second respondent and decide the issue as stated *supra*.
- iii. The aggrieved party shall be at liberty to resort to further proceedings, such as appeal, civil suit, etc.
- iv. No costs.

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Neutral Citation : Yes / No



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To

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The Sub-Registrar,
Sankarankovil,
Tenkasi District.



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D.BHARATHA CHAKRAVARTHY, J.

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