



WEB COPY

W.P(MD)No.8180 of 2026



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 27.03.2026

CORAM

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

W.P(MD)No.8180 of 2026

Krishnasamy

... Petitioner

Vs.

1.The District Registrar,
Kanyakumari District,
Kanyakumari.

2.The Joint-1 Sub Registrar,
Nagercoil,
Kanyakumari District.

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

...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 of the impugned refusal check slip dated 05.01.2026 in RFL/1/Kanyakumari/2/2026 issued by the 2nd respondent, quash the same and consequently, direct the 2nd respondent to register the settlement deed dated 05.01.2025 within anytime stipulated by this Court.



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For Petitioner
For R1 to R3

:Mr.M.Dinesh Hari Sudarsan
:Mr.A.Baskaran
Additional Government Pleader

ORDER

This writ petition is filed for a certiorarified mandamus challenging the order dated 05.01.2026.

2.The impugned order is a refusal check slip passed without assigning any valid or lawful reason, passed the impugned order on 05.01.2026 refusing to register the settlement deed. In that situation, an order cannot be straight away passed without an enquiry and the matter has been since settled 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 directions in paragraph 25 are 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 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 thereof, this writ petition is ordered on the following terms:

(i) The impugned refusal check slip dated 05.01.2026 shall stand set aside and the matter is remitted back to the file of the first respondent.





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D.BHARATHA CHAKRAVARTHY, J.

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