



W.P.(MD) No.8243 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.03.2026

CORAM

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.(MD) No.8243 of 2026

Praveen

... Petitioner

Vs.

1.The District Registrar,
O/o.Karaikudi District Registration,
Karaikudi District.

2.The Sub-Registrar,
O/o.Devakottai Sub-Registrar,
Sivagangai District.

3.The Sub-Registrar,
O/o.Kancheepuram Joint II SRO,
Kancheepuram 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 the records pertaining to the impugned Refusal Check Slip issued by second respondent *vide* Letter No.RFL/Devakottai/Book 2/3 dated 25.08.2025 and quash the same as illegal, arbitrary and consequently direct the second respondent to register the Settlement Deed dated 06.05.2025 executed in petitioner's favor in respect of land situated in Survey Nos.76/6 and 74/5, Maaviduthi Village, Devakottai Taluk, Karaikudi District and another



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land in New Survey No.309/7 situated at 144 Thandalam Village, Kancheepuram Taluk, Kancheepuram District forthwith within stipulated time frame fixed by this Court.

For Petitioner : Mr.A.Abulhasan

For Respondents : Mr.D.S.Nedunchezian
Government Advocate

ORDER

This Writ Petition is filed challenging the impugned Refusal Check Slip dated 25.08.2025.

2. Upon perusal of the same, it is seen that the document has been refused on the ground that the property forms part of the National Highway. The said factual position is disputed by the learned counsel for the petitioner. In that situation, an order cannot be straight away passed without an enquiry and the matter has been settled by the 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 document shall be returned to the parties concerned leaving it open for the religious institution to approach



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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 allowed on the following terms:

- i. The impugned refusal check slip dated 25.08.2025 shall stand set aside and the matter is remitted back to the file of the second respondent.
- ii. The second respondent shall conduct an enquiry as directed by the Hon'ble Division Bench of this Court in ***Sudha Ravi Kumar*** (cited *supra*).
- iii. The parties are at liberty to produce such evidence in support of their respective titles.
- iv. Orders shall be passed on merits and in accordance with law.
- v. The aggrieved party shall be entitled to file an appeal in accordance with law.



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vi. The aforesaid exercise shall be completed within a period of ten (10) weeks from the date of receipt of a web copy of this order, without waiting for the certified copy thereof.

vii.No costs.

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Neutral Citation : No

To

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- 3.The Sub-Registrar,
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