



W.P.(MD)No.10724 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 17.04.2026

CORAM

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.(MD)No.10724 of 2026
and
W.M.P.(MD)No.8394 of 2026

A.Govindasamy

.. Petitioner

- Vs. -
-

1.The Inspector General of Registration,
Door No.100,
Santhome High Road,
Foreshore Estate,
Pattinapakkam,
Chennai-600028.

2.The District Registrar,
Madurai.

3.The Sub Registrar,
Thirupparankundram,
Madurai District.

4.The Executive Officer,
Arulmigu Subramaniya Swamy Temple,
Thiruparankundram,
Madurai-625 005.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the



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records relating to the impugned order dated 12.03.2022 in Na.Ka.No. 2626/2016/E1 passed by the fourth respondent and quash the same and consequential refusal by the third respondent to entertain registrations in S.No. 136/1B4, Thiruparankundram Village, Madurai and direct the third respondent to register the documents presented by the petitioner without insisting on a No Objection Certificate from the fourth respondent.

For Petitioner : Mr.J.Barathan

For Respondents : Mr.D.S.Nedunchezian
Government Advocate for R1 to R3

Mr.V.Chandrasekar for R4

ORDER

The Writ Petition is filed challenging the impugned order dated 12.03.2022.

2. Upon perusal of the same, it is a communication issued by the Executive Officer of the temple, claiming that the property in question is a temple property. According to the petitioner, he is the owner of the property and the temple has no document whatsoever with reference to the said property and such a communication ought not to have been issued. The Executive Officer of the temple is a private person claiming ownership. It is now settled



law that the claim by itself will not bind the Sub Registrar or the petitioner and it has already been held by the Hon'ble 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 others¹***, 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.

¹ (2017) 3 CTC 135



(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.”*

Thus, the present impugned order need not be challenged. If the petitioner claims ownership of the temple, it will be very well open to him to deal with the same and as and when any document is presented, it is for the Sub Registrar to conduct an enquiry as envisaged by the Hon'ble Division Bench of this Court. It will also be open without even presenting the document, if the petitioner wants to clear the cloud of title, it is not for the Sub Registrar to enquire into the same, the petitioner can also approach the civil Court for declaration of his title.



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3. With the above liberties kept open, the Writ Petition stands disposed of.

No costs. Consequently, connected miscellaneous petition is closed.

17.04.2026

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NCC: No

To

- 1.The Inspector General of Registration,
Door No.100,
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D.BHARATHA CHAKRAVARTHY, J.

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