



W.P.(MD)No.11339 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated: 21.04.2026

CORAM

THE HONOURABLE MR JUSTICE D.BHARATHA CHAKRAVARTHY

W.P(MD)No.11339 of 2026

B.Amutha

... Petitioner

Vs.

1.The Sub Registrar,
Office of the Sub Registrar,
Srivilliputhur,
Virudhunagar District.

2.The Joint Commissioner,
Hindu Religious and Charitable
Endowments Department,
B1 Road, Ellis Nagar,
Madurai.

3.The Executive Officer,
Arulmigu Vaidhyanatha Swamy Temple,
Madavarvilagam,
Srivilliputhur,
Virudhunagar District.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records relating to impugned refusal check slip passed by the respondent No.1 through its proceedings in RFL/Srivilliputhur/30/2025



W.P.(MD)No.11339 of 2026

dated 23.09.2025 and to quash the same and further directing the Respondent No.1 to register the same.

For Petitioner : Mr.C.M.Mari Chelliah Prabhu

For Respondents : Mr.A.Baskaran,
Addl. Government Pleader for R1.
Mr.M.Sarangan,
Addl. Government Pleader for R2 & R3.

ORDER

The writ petition is filed challenging the impugned refusal check slip dated 23.09.2025.

2.When the petitioner presented a mortgage deed for registration, the same was refused for registration on the ground that there is rival claim by the third respondent / Temple.

3.The issue is no longer *res integra* is undiscovered by the judgment of the Division Bench of this Court made 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.



WEB COPY

“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.

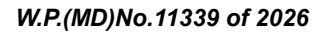
(ii) If the registering authority, refuses to register any document by accepting the objections raised under [Section 22-A](#) of the Registration Act, the aggrieved may file a statutory appeal under the Act.

(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.



<https://www.mhc.tn.gov.in/judis>



W.P.(MD)No.11339 of 2026

To
WEB COPY

- 1.The Sub Registrar,
Office of the Sub Registrar,
Srivilliputhur,
Virudhunagar District.
- 2.The Joint Commissioner,
Hindu Religious and Charitable
Endowments Department,
B1 Road, Ellis Nagar,
Madurai.
- 3.The Executive Officer,
Arulmigu Vaidhyanatha Swamy Temple,
Madavarvilagam,
Srivilliputhur,
Virudhunagar District.



WEB COPY



W.P.(MD)No.11339 of 2026

D.BHARATHA CHAKRAVARTHY, J.

ias

W.P(MD)No.11339 of 2026

21.04.2026