



W.P.(MD)No.14822 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 04.06.2026

CORAM

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.(MD)No.14822 of 2026

A.Narayanan

... Petitioner

Vs

1.The District Registrar,
Karaikudi Registration District,
Karaikudi.

2.The Sub Registrar Joint-II,
Joint-II Sub Registrar Office,
Karaikudi,
Sivagangai District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records of the impugned Refusal Check Slip in Refusal Number: RFL/Joint-II Sub Registrar, Karaikudi/15/2026 dated 02.04.2026 passed by the 2nd Respondent herein and quash the same as illegal and further direct the 2nd Respondent herein to register and release the settlement deed (TP/264218235/2026) dated 02.04.2026, within a time stipulated by this Court.

For Petitioner : Mr.R.Murugan



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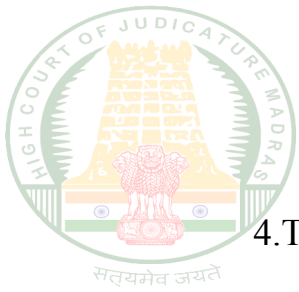
For Respondents : Mr.R.Parthiban
Government Standing Counsel

ORDER

In view of the nature of the order proposed to be passed, this Writ Petition is disposed of at the admission stage.

2.Even though the concerned temple and the authorities of the Hindu Religious and Charitable Endowments Department have not been impleaded as parties to this Writ Petition, it is made clear that none of the observations contained in this order shall be construed as expressing any opinion on the merits of the case.

3.This writ petition is filed challenging the impugned refusal check slip dated 20.04.2026. The petitioner presented a settlement deed for registration on 20.04.2026. However, registration was refused on the ground that an objection had been raised on behalf of Arulmigu Suyampragasa Eswarar Thirukkivil, Ellupakudi. The refusal was made by invoking the provisions under Section 22A(1) of the Registration Act.



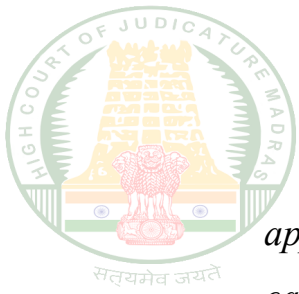
4.The issue is no longer *res integra*. The Hon'ble Division Bench of this Court, in the decision reported in **2017 (3) CTC 135 (Sudha Ravi Kumar and Ors. Vs. The Special Commissioner and Commissioner, Hindu Religious and Charitable Endowments Department and Ors.)**, held that the Sub Registrar has to conduct a summary enquiry as directed in paragraph 25 of the said judgment. The Hon'ble Division Bench further held that an aggrieved party will be entitled to file an appeal and thereafter approached the Civil Court, as the case may be. The directions issued by the Hon'ble Division Bench in paragraph 25 of the judgment are extracted below 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



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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."

5. In view thereof, this Writ Petition is allowed on the following terms:

i) The impugned refusal check slip dated 02.04.2026 shall stand set aside;



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ii) The matter is remitted to the file of the second

respondent to conduct an enquiry as contemplated by the Hon'ble Division Bench in the aforesaid judgment, by issuing notice to the petitioner as well as the concerned temple and decide the matter in the manner known to law. No costs.

04.06.2026

NCC : Yes / No

Index : Yes / No

Internet : Yes/ No

MGA

To

1.The District Registrar,
Karaikudi Registration District,
Karaikudi.

2.The Sub Registrar Joint-II,
Joint-II Sub Registrar Office,
Karaikudi,
Sivagangai District.

D.BHARATHA CHAKRAVARTHY, J.



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