



W.P.(MD)No.14855 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.06.2026

CORAM:

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

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A.Susi Raja

... Petitioner

-VS-

1.The District Registrar,
Tenkasi Registration District,
Tenkasi.

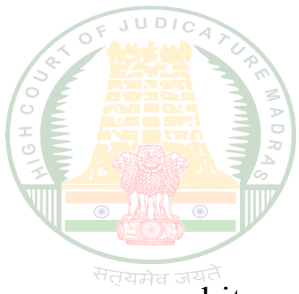
2.The Sub Registrar,
Vasudevanallur,
Tenkasi Registration District,
Tenkasi.

3.The Assistant Commissioner,
The Hindu Religious and Charitable Endowments Department,
Tirunelveli - 2.

4.The Executive Officer,
Arulmighu Mariamman Thirukovil,
Vasudevanallur, Tenkasi District.

... Respondents

Prayer: Writ Petition is 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 Respondent No.2 in his impugned proceedings in Refusal Number RFL/Vasudevanallur/10/2026 dated 10.03.2026 quash the same as illegal,



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arbitrary, violation of law and further direct the Respondent No.2 to register a document (Sale Deed dated 10.03.2026) release the same within the stipulated time.

For Petitioner : Mr.M.Jothi Basu

For Respondents : Mr.S.Vashik Ali
Standing Counsel

ORDER

The Writ Petition has been filed challenging the impugned Refusal Check Slip dated 10.03.2026.

2. The petitioner presented a sale deed dated 10.03.2026 for registration before the Sub Registrar. However, registration was refused on the ground that an objection had been raised claiming that the subject property belongs to Arulmigu Palani Vinayagar Thirukovil, Thirumalapuram.

3. The learned counsel appearing for the petitioner would submit that, on an earlier occasion, when a third party sought to transfer the very same property, this Court had directed the Sub Registrar to conduct an enquiry in terms of the decision of the Hon'ble Division Bench of this Court in **Sudha Ravi Kumar and another v. The Special Commissioner and Commissioner, Hindu Religious**



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and Charitable Endowments Department, Chennai and others [(2017) 3 CTC

135]. Pursuant thereto, the Sub Registrar conducted an enquiry and arrived at a finding that the property did not belong to the temple and consequently proceeded with the registration of the document.

4. The learned Standing Counsel appearing for the respondents would submit that a similar enquiry would be conducted in the present case as well.

5. I have considered the rival submissions and perused the materials available on record.

6. As per the dictum laid down by the Hon'ble Division Bench of this Court in **Sudha Ravi Kumar's case** (cited *supra*), the Sub Registrar is required to conduct an enquiry after affording an opportunity of hearing to all concerned parties before arriving at a conclusion regarding the claim of the temple over the subject property. It would be useful to extract paragraph 25 of the said judgment:

"25. In view of the above discussions, all the writ petitions are allowed and the impugned orders are set aside with the following directions:



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(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.

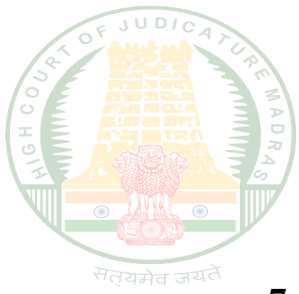
(ii) If the registering authority, refuses to register any document by accepting the objections raised under Section 22-A of the Registration Act, the aggrieved may file a statutory appeal under the Act.

(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."



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7. It is submitted by the learned counsel for the petitioner that, on an earlier occasion, an enquiry had been conducted in respect of the very same property and an order had been passed in favour of the person who presented the document for registration. The petitioner is at liberty to rely upon the said order during the course of the enquiry.

8. In view of the above, this Writ Petition is disposed of on the following terms:

- (i) The impugned Refusal Check Slip dated 10.03.2026 is set aside.
- (ii) The matter is remanded to the file of the second respondent for fresh consideration.
- (iii) The petitioner shall re-present the document before the second respondent. Upon such re-presentation, the second respondent shall consider the same, conduct an enquiry in accordance with the directions issued by the Hon'ble Division Bench of this Court in **Sudha Ravi Kumar's** case (cited *supra*), and pass appropriate orders afresh in the manner known to law, after affording an opportunity of hearing to all concerned parties.



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(iv) The petitioner shall also be entitled to place reliance upon the earlier order passed in respect of the same property.

(v) The aforesaid exercise shall be completed within a period of two months from the date of re-presentation of the document by the petitioner.

There shall be no order as to costs.

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NCC : No
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To:-

- 1.The District Registrar,
Tenkasi Registration District,
Tenkasi.
- 2.The Sub Registrar,
Vasudevanallur,
Tenkasi Registration District,
Tenkasi.
- 3.The Assistant Commissioner,
The Hindu Religious and Charitable Endowments Department,
Tirunelveli - 2.



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4. The Executive Officer,
Arulmighu Mariamman Thirukovil,
Vasudevanallur, Tenkasi District.



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