



W.A.(MD)Nos.873 and 874 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **18.06.2026**

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

AND

THE HONOURABLE MR.JUSTICE P.B.BALAJI

W.A.(MD)Nos.873 and 874 of 2026

R.Tamilselvi

...Appellant in W.A.(MD)No.
873/2026

R.Deepika

...Appellant in W.A.(MD)No.
874/2026

Vs.

1.The Special Commissioner and Commissioner,
Hindu Religious and Charitable Endowment Department,
Chennai-14.

2.The Joint Commissioner,
Sri Renganatha Swami Temple,
Hindu Religious and Charitable Endowment Department,
Srirangam, Trichy.

3.The Sub Registrar,
Sub Registrar Officer,
Srirangam.

...Respondents in
both appeals

COMMON PRAYER:- Writ Appeals – filed under Clause 15 of the Letters Patent, to set aside the order passed by this Court in W.P.(MD)No. 20100 & 20093 of 2025 dated 07.04.2026.



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In both appeals:

For Appellant : Mr.K.Mahendran
For Respondents : Mr.C.Jeganathan (R1 & R3)
Counsel for State
Mr.M.Sankaralingam (R2)

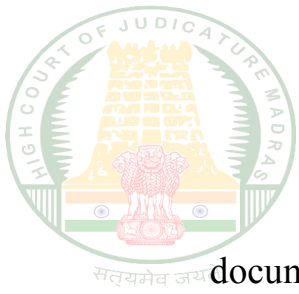
COMMON JUDGMENT

(Judgment of the Court was delivered by **N.SATHISH KUMAR, J.**)

Challenge has been made to the orders passed by the learned Single Judge, in and by which the refusal check slips issued by the Sub Registrar refusing to register the sale deed presented by the writ petitioner, were set aside.

2.The writ petitioners presented the sale deeds with regard to the subject property before the Sub Registrar, Srirangam. The same were refused to be registered on the objections raised by a Temple claiming title over the subject property. Aggrieved by the same, the writ petitions were filed.

3.The learned Single Judge, after considering the facts and circumstances of the case and also considering the fact that the



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documents produced by the petitioners are of the year 1933 allowed the writ petitions by setting aside the refusal check slip issued by the Sub Registrar concerned, however, directed the Sub Registrar to conduct enquiry. Aggrieved by the said direction, the present writ appeals are filed by the writ petitioners.

4.Heard the learned counsel appearing on either side and perused the materials placed on record.

5.The Temple claims that the subject property belongs to the Temple. However, the fact remains that the property in question was the subject matter of the proceedings initiated under the Act 30 of 1963 and pattas have been issued in favour of the third party under Section 8 of the Madras Minor Inam (Abolition and Conversion into Ryotwari) Act, 1963. The said proceedings attained finality.

6.Further, it could be seen from the records that originally the property belonged to one Rangarajamaiyar. Since there was a dispute between the parties with regard to the subject property, a suit in O.S.No. 958 of 1994 was filed and the same was decreed in favour of the third



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party. However, without any basis, the Temple has raised objection claiming title over the subject property.

7.Though the learned Single Judge rightly set aside the refusal check slip issued by the Sub Registrar, taking note of the judgment of the Division Bench in ***Sudha Ravi Kumar and another vs. The Special Commissioner and Commissioner, Hindu Religious and Charitable Endowments Department, Chennai and others [(2017) 3 CTC 135]*** directed the Sub Registrar to conduct enquiry in respect of the property in dispute.

8.We are of the view that such direction will not serve any purpose. Since the subject property has already been the subject matter of the proceedings under the Act 30 of 1963 and the title has already been vested with individuals, if the Temple claims title over the said property, it is for the temple to dispute the same in accordance with law by filing appropriate suit before the competent civil Court to establish title and recover the property.



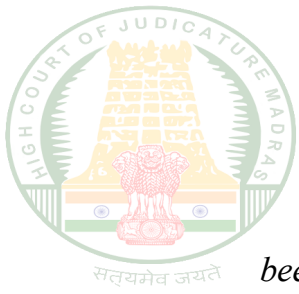
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9.Once it is established that the private individual has a better title to the property than the Temple, the Sub Registrar cannot refuse registration of a document presented by such person. It is well settled that the Sub Registrar, while exercising powers under the Registration Act, has no jurisdiction to adjudicate upon disputed questions of title. In such circumstances, there would be no useful purpose in directing the Sub Registrar to embark upon an enquiry into the merits of the rival claims or the title dispute between the parties.

10.In the case of ***Satya Pal Anand v. State of M.P.***, reported in **(2016) 10 SCC 767**, the Hon'ble Supreme Court has clearly held as follows:

*“Section 35 of the Act does not confer a quasi-judicial power on the Registering Authority. The Registering Officer is expected to reassure that the document to be registered is accompanied by supporting documents. He is not expected to evaluate the title or irregularity in the document as such. The examination to be done by him is incidental, to ascertain that there is no violation of provisions of the 1908 Act. In **Park View Enterprises [Park View Enterprises v. State of T.N., AIR 1990 Mad 251 : 1989 SCC OnLine Mad 273]** it has*



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been observed that the function of the Registering Officer is purely administrative and not quasi-judicial. He cannot decide as to whether a document presented for registration is executed by person having title, as mentioned in the instrument. We agree with that exposition.”

11.In view of the above, the direction issued by the learned Single Judge to the Sub Registrar to conduct enquiry alone is set aside and these writ appeals are **partly allowed**. The Sub Registrar is directed to register the document forthwith. If at all the Temple disputes the title over the subject property, it is for the Temple to establish the same by way of filing an appropriate suit before the civil Court. There shall be no order as to costs.

[N.S.K., J.] & [P.B.B., J.]
18.06.2026

Index :Yes/No

Internet :Yes

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To

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