



W.P.(MD). No.16411 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 17.06.2026

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THE HONOURABLE MR. JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.(MD). No.16411 of 2026

1.Ayyadurai
2.Govindharaman ... Petitioners

Vs

1.The Joint Sub-Registrar No.1,
Palayamkottai, Tirunelveli District.
2.The Assistant Commissioner,
Hindu Religious and Charitable
Endowments Department, Tirunelveli. ... 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 the impugned refusal check slip vide No.RFL/Joint Sub Registrar No.1, Palayamkottai/76/2026 dated 29.05.2026 and quash the same and consequently, direct the 1st respondent to register the release deed dated 29.05.2026 and release the same within the time frame fixed by this Court.



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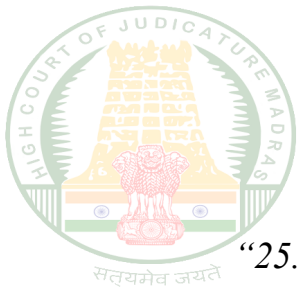
For Petitioners : Mr.H.Arumugam

For Respondents : Mr.R.Parthiban
Government Standing Counsel

ORDER

The writ petition is filed challenging the impugned refusal check slip dated 29.05.2026.

2. When the petitioner presented a release deed dated 29.05.2026, the same was refused to be registered on the ground that a claim had been made on behalf of the H.R. & C.E. department that the property belongs to the temple. The legal position in this regard is no longer *res integra* and has been settled 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 others***, reported in ***(2017) 3 CTC 135***. As per the said decision, the Sub Registrar cannot merely act on the letter of the department but has to give notice to the petitioner as well as to the other side, conduct an enquiry, and decide the issue. The directions issued by the Hon'ble Division Bench of this Court in paragraph 25 are extracted hereunder for ready reference:



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

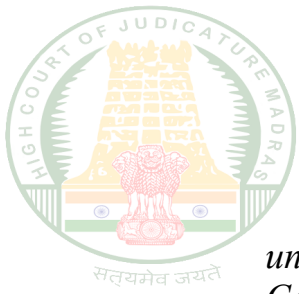
(i) The registering authority before whom the document has been presented shall cause service of notice on the parties to the deeds and also to the objector / religious institution, hold summary enquiry, hear the parties and then either register or refuse to register the document by passing an order 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



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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.

3. In view thereof, this writ petition is allowed on the following terms:

i. The impugned refusal check slip dated 29.05.2026 shall stand set aside;

ii. The petitioner shall represent the document within a period of three weeks from the date of receipt of a web copy of this order;

iii. The first respondent shall issue notice to the petitioner as well as the H.R. & C.E. authority/temple authorities, conduct an enquiry as directed by the Hon'ble Division Bench of this Court which is extracted *supra* and decide the issue; and

iv. Needless to mention that the party aggrieved or entitled to further proceedings as directed by the Hon'ble Division Bench of this Court.



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v. The aforesaid exercise shall be completed within a period of 8 weeks from the date of receipt of the representation of the document.

vi. No costs.

17.06.2026

NCC : Yes/No
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TO

- 1.The Joint Sub-Registrar No.1,
Palayamkottai, Tirunelveli District.
- 2.The Assistant Commissioner,
Hindu Religious and Charitable
Endowments Department, Tirunelveli.



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D.BHARATHA CHAKRAVARTHY, J.

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**ORDER
IN
WP(MD) No.16411 of 2026**

Date : 17/06/2026