



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 23.06.2026

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**THE HONOURABLE MR JUSTICE D.BHARATHA
CHAKRAVARTHY**

**W.P(MD)No.17493 of 2026
and
W.M.P(MD)No.12958 of 2026**

1. Saraswathi
2. Thaiyalnayagi
3. Subhaa
4. Senthil Nathan
5. S.Subramanian
6. Jecintha David Koilpatti

... Petitioners

Vs.

1. The Sub Registrar,
Sub-Registrar Joint No.1,
Palayamkottai,
Tirunelveli District.

2. The Assistant Commissioner,
Hindu Religious and Charitable Endowment Department,
Palayamkottai,
Tirunelveli.

...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 relating to the impugned order of the 1st respondent in RFL/No.1 Joint Sub-Registrar Palayamkottai/28/2026 dated 18-02-2026 and quash the same and consequently direct the 1st respondent to register the sale deed dated 18-02-2026 executed by the petitioners 1 to 4 in favour



of the 6th petitioner through their power agent without insisting NOC from the 2nd respondent within the time fixed by this Honble Court and pass such further or other orders as this Honble court may deem fit and proper in the circumstances of this case and thus render justice.

For Petitioners :Mr.N.Vignesh

For Respondents :Mr.S.Vashik Ali,
Government Standing Counsel

ORDER

This writ petition is filed for a certiorarified mandamus challenging the order dated 18.02.2026.

2.It can be seen that the document presented by the petitioner was refused to be registered by the first respondent on the ground that the subject property belongs to Arulmigu Arunachaleswarar Temple under the control of HR&CE Department. 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.



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

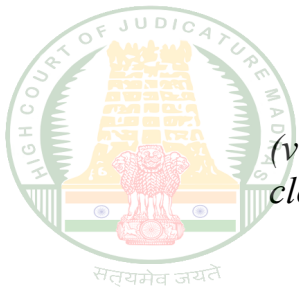
(i) The registering authority before whom the document has been presented shall cause service of notice on the parties to the deeds and also to the objector / religious institution, hold summary enquiry, hear the parties and then either register or refuse to register the document by passing an order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

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

(i) The impugned refusal check slip dated 18.02.2026 shall stand set aside and the matter is remitted back to the file of the first respondent.

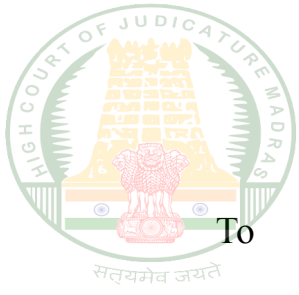
(ii) The first respondent shall conduct an enquiry as directed by the Division Bench and both sides will be entitled to produce such proof in respect of their title and depending on the final orders that are passed.

(iii) The aggrieved party shall file an appeal in accordance with law.

(iv) The aforesaid exercise shall be completed within a period of 10 weeks from the date of receipt of the web copy of the order. without waiting for the certified copy of the order. No costs.

23.06.2026

NCC: Yes/No
rgm



To

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Sub-Registrar Joint No.1,
Palayamkottai,
Tirunelveli District.
2. The Assistant Commissioner,
Hindu Religious and Charitable Endowment Department,
Palayamkottai,
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D.BHARATHA CHAKRAVARTHY, J.

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