



W.P.(MD) No.331 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.01.2026

CORAM

THE HONOURABLE MR. JUSTICE KRISHNAN RAMASAMY

W.P.(MD)No.331 of 2026

1.M.Syed Ibrahim

2.M.Jafarullah Khan

3.M.Khaja Mohideen

4.M.Mohamed Rafeeq

... Petitioners

Vs

1. The Sub Registrar,
Sub Registrar Office,
Cumbum, Periyakulam Registration District,
Theni District.

2. Hindu Religious and Charitable
Endowments Department,
Represented by its Commissioner No-119,
Uthamar Gandhi Salai,
Nungambakkam, Chennai.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned refusal check slip issued by the first respondent dated 30.09.2025 in respect of the TP/234928499/2025 and quash the same and consequently direct the first respondent to receive



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and the register the sale deed dated 30.09.2025 executed by the petitioners in respect of house and vacant site bearing D.No.21 (old No. 11) Kathar Meera Levai Street, Gudalur Municipality (Assessment No. 123/014/900398) situated in Natham Survey No.2320/36, Keelgudalur (West), to an extent of 807 sq.ft classified as Ryotwari house site.

For Petitioners : Mr.K.K.Senthil

For R-1 : Mr.A.Kannan,
Special Government Pleader

For R-2 : Mr.J.K.Jayaselan,
Government Advocate

ORDER

This Writ Petition has been filed challenging the impugned Refusal Check Slip issued by the first respondent dated 30.09.2025 in respect of TP/234928499/2025 and consequently to direct the first respondent to receive and register the Sale Deed dated 30.09.2025 executed by the petitioners in respect of the house property and vacant site bearing Door No.21 (Old Door No.11), Kathar Meera Levai Street, Gudalur Municipality (Assessment No.123/014/900398 situated in Natham Survey No.2320/36, Keelgudalur (West to an extent of 807 square feet classified as Ryotwari House Site.



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2. The learned counsel appearing for the petitioners would submit that the petitioners' Sale Deed dated 30.09.2025 was refused to be registered by the first respondent on the ground that, based on a communication said to have been received from the second respondent dated 28.08.2024 the property situated in Survey No.1216/12, Keelgudalur Village, belongs to the second respondent. He would further submit that no enquiry was conducted, as mandated in the judgment of this Court reported in ***AIR 2017 Madras 203*** in the case of ***Sudha Ravi Kumar and another Vs. The Special Commissioner and Commissioner, Hindu Religious and Charitable Endowments Department, Chennai and another.***

3. The learned Additional Government Pleader appearing for the first respondent would submit that enquiry will be conducted by the first respondent and appropriate orders will be passed.

4. Considering the submissions made on either side, it is seen that the impugned order has been passed merely based on the objections raised by the second respondent, without conducting any enquiry and without following the law laid down by this Court in ***AIR 2017 Madras***



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203 (supra). Accordingly, the impugned Refusal Check Slip dated 30.09.2025 issued by the first respondent is set aside. The petitioners are directed to re-present the document, and on receipt of the same, the first respondent is directed to conduct enquiry strictly in accordance with the law laid down in the above judgment and pass appropriate orders on merits and in accordance with law as expeditiously as possible.

5. In the result, this writ petition stands allowed. No costs.

08.01.2026

Index : Yes/No
Internet: Yes/No
Neutral Citation: Yes/No

TSG

To

1.1. The Sub Registrar,
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Cumbum, Periyakulam Registration District,
Theni District.

2. Hindu Religious and Charitable
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KRISHNAN RAMASAMY, J.

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