

W.P(MD)No.21618 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :07.08.2025

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CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.21618 of 2025

and

W.M.P.(MD).Nos.16714 and 16716 of 2025

M.Sivakumar

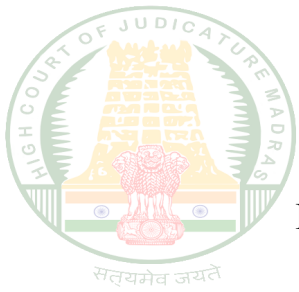
... Petitioner

VS.

1. The Inspector General of Registration,
100, Santhome High Road,
Raja Annamalaipuram,
Chennai - 600 028.
2. The District Registrar,
Combined Registration Office in Collectorate Complex,
Dindigul - 624 004, Dindigul District.
3. The Sub-Registrar,
Police Station Road,
Chinnalapatti - 624 301, Dindigul District.
4. R.Asokkan,

...Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus calling for the records of the impugned Refusal Check Slip issued by the 3rd Respondent, Sub-Registrar, in Ref.No.RFL/Chinnalapatti/24/2025 dated 03.04.2025, quash the same, as illegal and direct the 3rd Respondent, Sub-Registrar, to register forthwith the Deed of Amendment executed by the Petitioner on 27.03.2025.



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For Petitioner

:Mr.K.Ragatheesh Kumar, for
M/S.Isaac Chambers

For R1 to R3

: Mr.S.Kameshwaran,
Government Advocate

For R4

: Mr.N.Sathish Babu

ORDER

The present Writ Petition has been filed for the issuance of a Writ of Certiorarified Mandamus to quash the impugned Refusal Check Slip issued by the 3rd Respondent dated 03.04.2025, and direct the 3rd Respondent to register forthwith the Deed of Amendment executed by the Petitioner on 27.03.2025.

2. Initially, the petitioner, along with the 4th respondent and three others, established a trust namely; Cheran Educational Trust. Subsequently, a dispute arose between the petitioner and the other trustees. Based on an existing agreement, the 2nd respondent convened a meeting to remove the petitioner from the position of Managing Trustee. Consequently, the petitioner was downgraded from Managing Trustee to Trustee, and a deed reflecting this change was executed and sought to be registered. However, the official respondents refused to register the said document. Therefore, the 4th respondent filed a writ petition in W.P.(MD) No. 31405 of 2024, and by order dated 17.02.2025, this Court directed the Registration Department to register the said document.

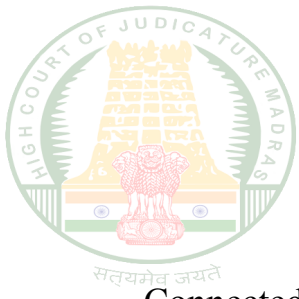


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3. In the meantime, the petitioner requested the other trustees to resign and subsequently inducted four new members, namely: 1. Thilagam (wife of the petitioner) 2. Sivakumar 3. J. Alfred Young 4. P. Bharthi Raja and 5. S. Abhishek, and constituted a new Board of Trustees. Based on the objections raised by the 4th respondent, the official respondents failed to register the amended trust deed and passed the impugned order. Aggrieved by the same, the present writ petition has been filed.

4. When the petitioner stated that the other trustees, namely; Asokan, Ravindran, Chandrasekaran, and Jeyaraman had resigned and a new trustees were inducted was subsequently formed, the same ought to have been registered. If any person is aggrieved by such action of inducting new trustees, they must approach the Civil Court to establish their rights. The official respondents cannot determine which trust is genuine; such genuineness must be established through evidence. Therefore, the impugned refusal slip issued by the 3rd respondent is liable to be quashed.

5. Accordingly, the impugned Refusal Check Slip issued by the 3rd respondent dated 03.04.2025 is hereby quashed. The 3rd respondent is directed to register the amended trust deed. The petitioner as well as the 4th respondent may approach the Civil Court to establish their respective rights, if so advised.



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6. With the above observations, this Writ Petition is allowed.

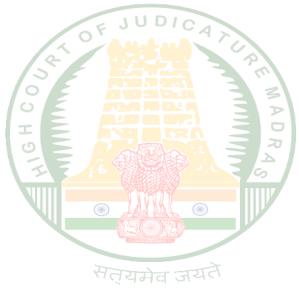
Connected Miscellaneous Petitions are closed. There shall be no order as to costs.

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07.08.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes

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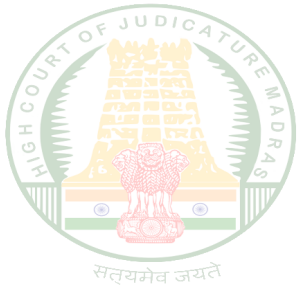


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S.SRIMATHY, J.

KSA

**ORDER MADE IN
W.P(MD)No.21618 of 2025**

DATED :07.08.2025