

W.P.(MD).No.18849 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 06.07.2026

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THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P(MD) No.18849 of 2026
and
W.M.P(MD) No.13939 of 2026

Arumugam

... Petitioner

Vs.

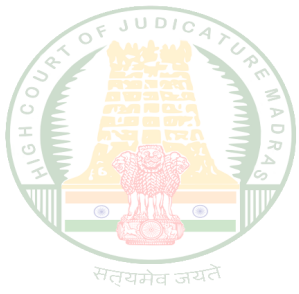
The Sub Registrar,
Sub Registrar Office,
Manapparai,
Tiruchirappalli District.

...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 of the impugned Refusal Check Slip in Refusal Number. RFL/Manapparai/68/2026 dated 09.03.2026 passed by the respondent herein and quash the same as illegal and further direct the respondent herein to register and release the Sale deed dated 09.03.2026 (TP/258137965/2026), within a time frame fixed by this Court.

For Petitioner : Mr.R.M.Sivakumar

For Respondent : Mr.R.Parthiban
Counsel for State of TN



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ORDER

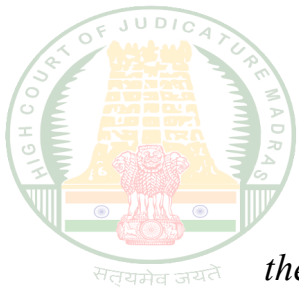
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This Writ Petition has been filed challenging the Refusal Check Slip in Refusal Number.RFL/Manapparai/68/2026 dated 09.03.2026 passed by the respondent herein and quash the same as illegal and further direct the respondent herein to register and release the Sale deed dated 09.03.2026 (TP/258137965/2026).

2. Heard the learned counsel for the petitioner and the learned Counsel for State of TN appearing on behalf of the respondent.

3. *Prima facie*, no fault can be found with the impugned Refusal Slip, as the registration is *prima facie* contrary to Section 22-A of the Registration Act, 1908. However, balancing the interests of the parties, this Court has come to the rescue of persons like the petitioner in ***W.P.(MD) No.3111 of 2026, in the case of P.Chellakily Vs. The Sub-Registrar, dated 28.04.2026.*** The relevant portion is extracted hereunder:

2. In such cases, the matter is no longer res-integra and is governed by the judgement of this Court in Sankarakumar & another vs. The Sub-Registrar, Panpozhi [W.P.(MD)No.29522 of 2025, dated 17.04.2026]. This Court considered the purport of Section 22-A(2),



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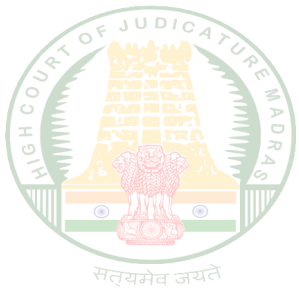
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the need to balance the Constitutional Right of the owners of the property under Article 300-A with the enforcement of development control legislation and the rules framed thereunder. It held that, irrespective of the location of the land, if the executant and the claimant of the document express an intention to use the property as such, without converting its nature, then, irrespective of the size of the land, boundary, abutting a pathway/road, etc., the document shall be registered, on condition that affidavits in four sets be executed and filed before this Court, the Sub-Registrar, the local body and the TANGEDCO. It is made clear that the party breaching the undertaking will also be liable for contempt of this Court, in addition to other actions.

3. The affidavit containing the following undertaking shall be executed by the claimant in whose favour the title vests under the document: "I undertake not to use the property as a residential/commercial site or such other change of user, unless due permission is obtained from the planning authority. Without due approval, I will not develop the site by changing its use, and will not put up any residential or commercial building. I am aware that I may be liable to punishment for contempt of Court for violating this undertaking. I am also aware that I will not be entitled to claim electricity connection or water, sewerage, and other connections or services from the local authority or any other authority unless due conversion is made as per the permission of the planning authority."

4. This writ petition is allowed on the following terms:

(i) The impugned order shall stand set aside.



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(ii) *The claimant under the document refused for registration, in whose name the property vests, shall execute a duly notarised affidavit in four sets and file one set before this Court within a period of four weeks from the date of receipt of the web copy of this order; Only upon filing of the same, a certified copy of this order shall be issued to the petitioner.*

(iii) *Along with the certified copy of the order of this Court, the petitioner will be entitled to represent the document along with three sets of affidavits.*

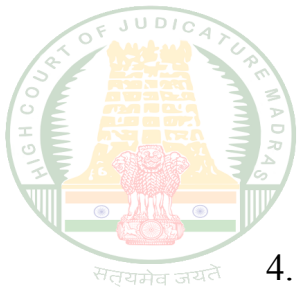
(iv) *Upon representation, the document shall be registered if there is no other impediment.*

(v) *Along with the document, the affidavit filed shall also be scanned and uploaded.*

(vi) *The two other sets shall be dispatched to the local authority and the jurisdictional Assistant Engineer of TANGEDCO concerned, who shall at all times consider the aforesaid undertaking and act accordingly.*

(vii) *If the petitioner fails to file an affidavit as directed within four weeks of receipt of the web copy of this order, the writ petition shall stand dismissed. Consequently, connected miscellaneous petition is closed.*

The said judgment was followed in ***Ramaprabha's case in W.P(MD) No.14197 of 2026 dated 21.05.2026*** also.



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4. In view of the above judgment, this Writ Petition stands disposed of, directing the respondent to register the sale deed dated 09.03.2026, if it is otherwise in order, subject to the petitioner giving an undertaking that the petitioner will not utilize the property for putting up any commercial or residential building without approval/regularization from the appropriate authority. There shall be a further intimation to the statutory authorities not to give any connection or make any property assessment for such commercial or residential building. The petitioner shall also alter the description of the property clearly in the sale deed. Consequently, the connected Miscellaneous Petition is closed. No costs.

06.07.2026

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

Indu

To

The Sub Registrar,
Sub Registrar Office,
Manapparai,
Tiruchirappalli District.



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C.SARAVANAN, J.

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