



W.P.(MD) No. 20408 of 2026

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.07.2026

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

**W.P.(MD) No. 20408 of 2026
and
W.M.P.(MD) No.15104 of 2026**

T.Balakrishnan

... Petitioner

Vs

The Sub Registrar,
Sub Registration Office,
Nanguneri,
Tirunelveli District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus to call for the records of the respondent impugned order in Na.Ka.100/2026 dated 17.04.2026 and quash the same as illegal and arbitrary and consequently, direct the respondent to register the petitioner pending sale deed as document No.P59/2026 dated 10.02.2026 and release the same to the petitioner and within the time limit that may be stipulated by this court in the circumstances of the case.

For petitioner : Mr. A.D.Ganeshamoorthi



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For respondents : M/s.P.Sudarkodi Natchiyar
Counsel for State of TN

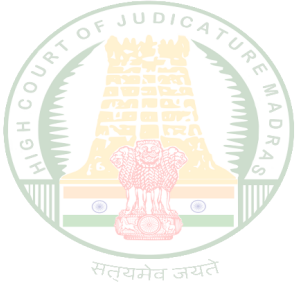
ORDER

M/s.P.Sudarkodi Natchiyar, learned Counsel for State of TN, takes notice on behalf of the respondents.

2. This Writ Petition is taken up for final hearing at the time of admission with the consent of the learned counsel for the petitioner and learned Counsel for State of TN for the respondents.

3. The petitioner is proposed to purchase the land in plot Nos.18 and 19 in Survey No.466/2B to an extent of 2.95 cents and 3.88 cents, respectively, situated at Soorankudi village, Nanguneri Taluk, Tirunelveli.

4. The document, which was presented for registration on 10.02.2026 has been refused under Section 22A(2) of the Registration Act, 1908. The relevant portion of the impugned refusal slip reads as under:



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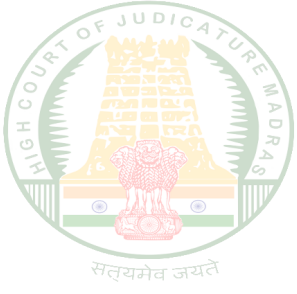
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□20.10.2016 க்கு முன் உருவாக்கப்பட்ட மனைப்பிரிவுகளில் விற்பனை செய்யப்படாத மனைகளை வரன்முறை செய்து DTCP யிடம் இருந்து ஆணை பெறப்பட வேண்டும். தங்களது மனைப்பிரிவில் விற்பனை செய்யப்படாத மனைகளைப் பொறுத்து DTCP யிடம் இருந்து பெற்ற ஆணை ஏதும் தங்களால் சமர்ப்பிக்கப்படவில்லை. தங்கள் ஆவணம் பதிவுச்சட்டம் 1908 பிரிவு 22A(2) க்கு முரணாக உள்ளதால் பதிவு மறுதளித்து ஆணையிடப்படுகிறது. அவ்வாணையின் அடிப்படையில் இவ்வலுவலக நிலுவை ஆவணம் 59/2026 மறுதளித்து ஆணையிடப்படுகிறது.□

5. The learned counsel for the petitioner submits that the subject land was developed as layout wayback in 2006 and was approved by the Local Panchayat and therefore, the land is outside the string of Section 22A(2) of the Registration Act, 1908.

6. The learned counsel would also draw attention to the description of the Power of Attorney executed by the petitioner's vendor *vide* Doc.No.61/2012 dated 13.06.2012 and would submit that several other sales in respect of the other plots in the very same survey number have been taken place. But, now the respondent refused to register the present document.

7. The learned Counsel for State of TN for the respondents submits that the



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Power of Attorney for the execution of sale, executed by the petitioner's vendor indicates that the description of the property to be 'Ayan Punja'. A reference has also been drawn to the description of the property in the Power of Attorney dated 25.06.2012 registered as Doc.No.61 of 2012, which reads as under:

தபசில்

திருநெல்வேலி பதிவு மாவட்டம், நான்குநேரி சார்பதிவாளர் அலுவலகம், நான்குநேரி வட்டம், சூரன்குடி கிராமம். **அ.பு.சர்வே 466/2B நீர் 0.85.5 ஏர்ஸ்க்கு சமமான ஏக்கர் 2-11-ல் வடக்கடைய ஏக்கர் 1-70 (ஏக்கள் ஒன்று செண்டு எழுபது)க்கு நான்கு எல்கைகள்:-**

வடக்கில் - நான்குநேரி டு களக்காடு ரோடு
கிழக்கில் - பொன்னையா நாடார், முகம்மதுமைதீன் இவர்கள்
பஞ்சை நிலங்கள்
தெற்கில் - சுப்பையா கோனார் பஞ்சை
மேற்கில் - சாம்ராஜ் பஞ்சை

இதற்குள்பட்ட ஏக்கர் 1-70 (ஏக்கள் ஒன்று செண்டு எழுபது) முழுவதும் தபசில் விபரம் சரி.

* **அ.பு** - Ayan punjai – Dry agricultural land

9. The learned Counsel for State of TN for the respondents further submits that it is for the petitioner to establish that the land was using as plot before the cut of date prescribed under Section 22A(2) of the Act, by producing the relevant parent documents.



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10. At this stage, the learned counsel for the petitioner submits that the petitioner has those documents and will produce the same before the respondent.

11. Recording the above submissions of the learned counsel for the petitioner and the learned Counsel for State of TN for the respondents, I am inclined to quash the impugned refusal slip dated 10.02.2026 and subsequent impugned order in Na.Ka.100/2026 dated 17.04.2026 and remit the case back to the respondent to re-examine and register the document.

12. In case the description of the property in the parent document shows as an agricultural property, the petitioner shall comply with the conditions stipulated by this Court in W.P.(MD) No.3111 of 2026, dated 28.04.2026 in the case of ***P.Chellakily vs. The Sub-Registrar, O/o. The Sub-Registrar, Kottaram, Agastheeswaram, Kanyakumari District – 629 703***, which is extracted below:

- i. The impugned order shall stand set aside.*
- ii. The claimant under the document refused for registration, in whose name the property vests, shall execute a duly notarised affidavit in*



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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.*



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viii.No costs.

13. In such case, the requisite undertaking, which has to be contained in the affidavit, is as follows:

"I/We, ..., S/o. / D/o. / W/o. / H/o. G/o., residing at, hereby undertake that I/We will not use the property as a residential or commercial site or for any other purpose involving a change of user unless due permission is obtained from the planning authority. Without such approval, I/We will not develop the site by changing its use or put up any residential or commercial building. I/We am/are aware that I/We may be liable for punishment for contempt of Court in the event of violating this undertaking. I/We am/are also aware that I/We shall not be entitled to claim electricity, water, sewerage or any other connection or service from the local authority or any other authority unless the due conversion is effected in accordance with the permission granted by the planning authority."

14. In such case, it is further made clear that the transferee / petitioner shall



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not put up any construction without obtaining approval from the planning authority for conversion of the site for residential or commercial use, in accordance with law. In case any such construction is put up without obtained appropriate approval, the authorities under the relevant statute are entitled to proceed against the transferee/petitioner in accordance with law.

15. This Writ Petition is disposed of, with the above observations. No costs.

Consequently, connected miscellaneous petition is closed.

Index : Yes / No

20.07.2026

Internet : Yes / No

apd

To

The Sub Registrar,
Sub Registration Office,
Nanguneri,
Tirunelveli District.



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C.SARAVANAN, J.

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