



W.P.(MD) No. 21625 of 2026

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.08.2026

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

**W.P.(MD) No. 21625 of 2026
and
W.M.P.(MD) No.16098 of 2026**

Venkatesh

... Petitioner

Vs

The Sub Registrar,
Thiruppuvanam,
Sivagangai 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 Impugned Refusal Check Slip in RFL/Thiruppuvanam/35/2026 dated 24.06.2026 on the file of the respondent and quash the same and further, direct the respondent to receive, register and release the sale deed dated 24.06.2026 executed by the petitioner in favour of one Madhalaivani.

For petitioner : Mr. S. Selva Aditya

For respondent : Mr.S.Vashik Ali
Additional Government Pleader



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ORDER

Mr.S.Vashik Ali, learned Additional Government Pleader, takes notice for the respondent.

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 Additional Government Pleader for the respondent.

3. The petitioner has approached this Court challenging the impugned Refusal Check Slip, dated 24.06.2026 bearing reference in No.RFL/Thiruppuvanam/35/2026 of the respondent, whereby the Sale Deed presented by the petitioner for transferring the property in favour of one Madhalaivani, came to be refused on the ground that the subject property is located in a water catchment area and that, in terms of the order passed by this Court in W.P. No.10666 of 2021, dated 08.09.2021, and the Circular issued by the Inspector General of Registration, Chennai, in Na.Ka. No.35083/11/2021, dated 23.11.2021, there is an embargo on registration of the property.



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4. The learned counsel appearing for the petitioner has placed a reliance upon the judgment of the Hon'ble Division Bench of this Court in **W.P. Nos. 13419, 13437 of 2017, dated 30.04.2024**, in the case of **Global Waste Recyclers Limited v. Government of Tamil Nadu and others**. A specific reference has been made in paragraph Nos.64 and 65, wherein it has been observed as under:

“(64) Invariably, Catchment is an area of land where water collects when it rains, often bounded by hills. As the water flows over the landscape it finds its way into streams and down into the soil, eventually feeding the river. Some of this water stays underground and continues to slowly feed the river in times of low rainfall. Every inch of land on the earth forms part of a catchment. Catchment in the normal parlance means collection of rainfall. Catchment Area with reference to a water body denotes the area from which rainfall flows into such water body like river or stream. In Narmada Bachao Andolan Vs. Union of India and Others reported in AIR 2000 SC 3751, Catchment Area is understood as the area wherein the rainfall water is collected and drained into the river or reservoir. The entire area from which drainage is received by a body of water [Reservoir, lake or river] is recognized as Catchment Area in a few legislations. In several countries Catchment Authority is constituted under statutes to manage and protect water catchments by providing catchment infrastructure to ensure supply of quality water. From a little search, this Court finds instances of appointing Agencies to manage and protect the Catchment Area and to provide Catchment infrastructure to promote and ensure water quality. In Tamil, Water Catchment Area is known as "நீர்ப்பிடிப்பு பகுதி" which is given the meaning "நீர்நிலைகளுக்கு. நீர் வந்து செருவதற்கு ஆதாரமான பகுதியாக அமையும் மழை பெய்யும் பரப்பு"



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(65)The Catchment Area is not a water body as such. However, any area may serve as a Catchment Area with reference to a particular water body. Catchment is natural and it cannot be and need not be artificially created. In other words, out of a larger area which serves as a Catchment Area, an extent of about 13,000 Hectares of land covering 27 villages have now been earmarked to impose restrictions on development without a scientific study or knowledge of any social or economical impact and the possible benefits to the public. What is the outweighing advantage by prohibiting development is not stated on the basis of any scientific study. By providing infrastructure to drain water to collect through storm water drainage channel or by making rain water harvesting compulsory in all areas surrounding Redhills lake, it is possible to achieve desired result without prohibiting development. If the 2 nd respondent has notified a vast extent of about 13,000 Hectares as a 'No Development Area' to prevent any urban activities, the same without a scientific study cannot be permitted. Even if it is done in public interest, there is no scope for keeping the reservation without acquiring the land in terms of Section 38 of the Act, 1971. No other provision saves total prohibition for development affecting the property rights of the land owners. Though the right to property is no more fundamental after Article 19[1][f] had been deleted, the right guaranteed under Article 300-A is recognized as a constitutional or human right. Unless deprivation of right is under a fair and reasonable legislation, an executive decision in exercise of power under a statute without an application of mind or on any scientific basis cannot be permitted.”

5. It is noticed that the said Writ Petitions were filed by the petitioners therein for the following reliefs:

“(2)WP.No.13419/2017 is filed for issuance of a writ of certiorari to quash the impugned proceedings of the 1 st respondent dated 26.04.2017 in respect of the lands measuring an extent of 1.21



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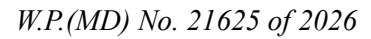
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acres comprised in S.Nos.126/1B, 1B1, 295/2B2, B2 at Alamathi Village, Ponneri Taluk, Thiruvallore High Road, Redhills, Thiruvallur District as the lands are deemed to have been released from reservation as catchment area by virtue of Section 38[b] of the Tamil Nadu Town and Country Planning Act, 1971 [hereinafter referred to as 'the Act, 1971'].

(3) WP.No.13437/2017 is also filed to quash the proceedings of the 1st respondent dated 26.04.2017 in respect of the lands comprised in S.Nos.292 to 297 and 302 in Alamathi 2 Revenue Village, abutting Redhills-Thiruvallur High Road, Sholavaram Panchayat Union, Thiruvallur District as the said lands are deemed to have been released from reservation as Catchment area by virtue of Section 38[b] of the Tamil Nadu Town and Country Planning Act, 1971 and to direct the 2nd respondent to process planning application of the petitioner without reference that the lands of petitioner are reserved as catchment area in the Master Plan."

6. It is noticed that, in the present case, the petitioner claims title to the subject property as per the previous Sale Deed dated 19.09.2018, registered as Document No.2524 of 2018. The Patta, which has been enclosed in the typed set of papers at page No.35 and the Adangal at page No.37, indicate that the subject land has now been classified as a Water Catchment Area ("நீர்ப்பிடிப்பு பகுதி"). The petitioner became aware of the same at the time of filing of this Writ Petition.

7. Since there is an embargo in terms of the order passed in W.P. No.10666



8. However, considering the fact that that the changes in the Patta and Adangal entries have purportedly been made without issuing due notice to the petitioner, I am inclined to dispose of this writ petition by giving liberty to the petitioner to represent the document for registration after having the entries made in the Patta and Adangal altered in accordance with law as the orders have been passed without due notice to the petitioner.

9. In case the petitioner is successful in getting the aforesaid entries in Patta and Adangal altered and the classification of the subject property is consequently modified, it is open to the petitioner to represent the Sale Deed before the respondent for registration, in which case, the respondent shall register the same.



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WEB COPY 10. This Writ Petition is disposed of, with the above liberty. No costs.

Consequently, connected miscellaneous petition is closed.

Index : Yes / No
Internet : Yes / No
apd

06.08.2026

To
The Sub Registrar,
Thiruppuvanam,
Sivagangai District.



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C.SARAVANAN, J.

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