



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.01.2020

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THE HONOURABLE **MR. JUSTICE S.S.SUNDAR**

W.P. (MD) No.26571 of 2019

and W.M.P. (MD) No.22934 of 2019

WEB COPY

R.Hema Rajeshwari

... Petitioner

Vs.

The Sub-Registrar,  
Office of the Sub-Registrar,  
Vellipattinam,  
Ramanathapuram District.  
... Respondents

**Prayer** : Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the entire records connected with the impugned refusal check slip in refusal Number RFL/Velipattinam/106/2019, dated 09.12.2019 passed by the respondent and quash the same as illegal, consequently directing the respondent to register the sale deed submitted by the petitioner on 09.12.2019 within the time stipulated by this Court.

For Petitioner : Mr.S.Malaikani  
For Respondent : Mr.M.Murugan,  
Government Advocate.

**ORDER**

This Writ Petition has been filed to quash the impugned refusal check slip in refusal Number RFL/Velipattinam/106/2019, dated 09.12.2019 passed by the respondent and to direct the respondent to register the sale deed submitted by the petitioner on 09.12.2019 within a time frame.

2.The petitioner states that he purchased land to an extend of 0.54.01 hectares comprised in Survey No.21/17 in Peravoor village, Ramanathapuram District and that the said land comprised in a layout, known as Mayoora garden. Plot purchased by the petitioner in the said layout is assigned as plot nos.31 and 32. The petitioner stated that necessary charges for regularization and development have paid by the petitioner on 26.02.2019 and 01.03.2019. It is the case of the petitioner that she kept one portion of the plot No.31 for herself and sold rest of the property to an extent of 0.49.26 hector to one Senthamarai son of R.K.Muruganantham and a doucument was also executed on 09.12.2019 and the same was presented for registration on the same day. However, it is stated that the respondent refused to register the document by the impugned proceedings on the ground that this Court in W.P.(MD)No.19566 of 2015, by an order dated 09.09.2016 and the Inspector of General of Registration vide circular dated 21.06.2017, have directed not to register the documents, which are unapproved

layout or form part of layout, which is not regularized.

3.However, the petitioner stated that the respondent failed to consider the regularization done by the Block Development Officer, Peravoor Village Panchayat, Ramanathapuram Panchayat Union by proceedings dated 01.03.2019. Proceedings dated 01.03.2019 reveals that Special Officer and the Block Development Officer of the Peravoor Village Panchayat, Ramanathapuram Panchayat Union has given approval for the portion of plot.

4.The learned Government Advocate appearing for the respondent submitted that regularization referred to by the petitioner is not valid and the refusal is as per the circular issued by the Registration Department. The regularization must be given by the competent authorities and not by the Block Development Officer.

5.The impugned order passed by the respondent is to the effect that the registration in relation to unapproved plots or plots which are not regularised as per the directions of this Court, cannot be registered. In that view of the matter, this writ petition is dismissed. However, liberty is given to the petitioner to approach appropriate authorities for regularization of the layout or his plots, in the manner known to law. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

gns

To

The Sub-Registrar,  
Office of the Sub-Registrar,  
Vellipattinam,  
Ramanathapuram District.

+1 CC to M/s.S.MALAI KANI, Advocate ( SR-1403[F] dated 10/01/2020 )

W.P. (MD) No.26571 of 2019  
08.01.2020

SMA/03/02/2020/2P/3C