



WEB COPY



W.P.No.27915 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.10.2022

CORAM

THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

W.P.No.27915 of 2022

Smt. S. Saroja

... Petitioner

Vs.

The Joint Sub-Registrar- II,
Chengalpet sub Registrar Office,
Chengalpet.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the Respondent to receive and register the Settlement Deed without insisting upon Development Certificate from planning Authority in respect of land measuring to an extent of 0.030 Sq.meter in New S.No.259/7C2 (349 Sq.Ft) Patta No.1949 situated at No.54, Kattankulathur Village, Chengalpet Taluk and District in T.P.No./128550890/2022 dated 10.08.2022 and pass orders.

For petitioner : Mr. K.R. Krishnan

For Respondents : Mr.E.Vijay Anand
Additional Government Pleader

ORDER

The petitioner has filed this petition to issue a Writ of Mandamus directing the Respondent to receive and register the Settlement Deed without insisting upon Development Certificate from planning Authority in



W.P.No.27915 of 2022

respect of land measuring to an extent of 0.030 Sq.meter in New S.No.259/7C2 (349 Sq.Ft) Patta No.1949 situated at No.54, Kattankulathur Village, Chengalpet Taluk and District in T.P.No./128550890/2022 dated 10.08.2022.

2. Mr.E.Vijay Anand , learned Additional Government Pleader takes notice for the respondents. In view of the limited relief sought for in this petition and on the consent expressed by the learned counsel appearing on either side, this petition is taken up for final disposal.

3. The case of the petitioner is that the petitioner is the owner of the subject property and when she executed a settlement deed in favour of her son and the same was presented before the respondent on 10.08.2022. However, the said document was refused to be registered by the respondent on the ground that under Section 22-A(2) of the Registration Act the petitioner has to get permission for development of such land from planning authority concerned. Hence the present petition.



W.P.No.27915 of 2022

4. The learned counsel for the petitioner submits that the subject property can be termed as house site and Section 22-A(2) of the Registration Act 1908 has no application to the facts of the present case. Hence he prays for appropriate order.

5. The learned Additional Government Pleader appearing for the respondents submitted that the document presented by the petitioner will be entertained and appropriate orders will be passed, if it is otherwise in order.

6. Recording the submission made by the learned Additional Government Pleader, this Court directs the second respondent to entertain the document presented by the petitioner, if it is otherwise in order and pass appropriate orders within a period of twelve weeks from the date of receipt of a copy of this order, and the petitioner is directed to pay requisite Stamp Duty and Registration Charges.

19.10.2022

Index : Yes / No
Internet : Yes / No
Speaking Order/Non-Speaking Order
smn



WEB COPY



W.P.No.27915 of 2022

M.DHANDAPANI,J.

smn

To

The Joint Sub-Registrar- II,
Chengalpet sub Registrar Office,
Chengalpet.

W.P.No.27915 of 2022

19.10.2022