



W.P.No.9279 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.07.2023

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.9279 of 2023

R.Karthik

...Petitioner

-Vs-

- 1.The Inspector General of Registration,
No.100, Santhome High Road,
Pattinapakkam, Chennai - 600 028.
- 2.The Director,
Directorate of Town and Country Planning,
2nd, 3rd & 4th Floor, E&C Market Road,
Koyambedu, Chennai - 600 107.
- 3.The District Revenue Officer,
Kancheepuram District - 631 502.
- 4.The Sub-Registrar - 4,
O/o. Sub Registrar Office,
(Near Taluk Office)
Kancheepuram District - 631 501.
- 5.T.Balasundaram @ Manoharan

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India
praying to issue a Writ of Mandamus, directing the 1st respondent to take



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action against the 4th respondent for registering the unapproved house plots in Survey Nos.103, 104, 108, 109, 132 and 83, situated at Orikkai Village, Vishnu Kanchi, coming within the Corporation limits of Kancheepuram, by considering the representation preferred by the petitioner dated 08.11.2022, sent on 09.11.2022.

For Petitioner : Mr.R.D.Ashok Kumar
For R1 to R4 : Mr.D.Ravichander,
Special Government Pleader
For R5 : Mr.S.Prabhu

ORDER

The prayer in the present Writ Petition is to direct the first respondent to take action against the fourth respondent for registering the unapproved house plots in Survey Nos.103, 104, 108, 109, 132 and 83, situated at Orikkai Village, Vishnu Kanchi.

2. The relief sought for in this Writ Petition falls under the purview of Section 22A(2) of the Registration Act. Sub Section 2 stipulates that "instrument relating to the transfer of ownership of lands converted as house sites without the permission for development of such land from planning



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authority concerned is to be refused by the registering authority for registration." When the amended provision inserted by Tamil Nadu Act 22 of 2012 under Section 22A of the Act prohibits any such registration without the permission for development of land from the planning authority, the registering authority has to bear in mind that if any document is presented and falling within the purview of Section 22A, then the same need not be registered and to be refused.

3. With this clarification, the Writ Petition stands disposed of. No costs.

10.07.2023

Index:Yes

Speaking order/Non-speaking order

hvk



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To



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S.M.SUBRAMANIAM, J.

hvk

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