



W.P.(MD)No.11386 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED:04.05.2023

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.11386 of 2023

and

W.M.P(MD).No.9882 of 2023

M.Mari

... Petitioner

Vs.

1.The District Registrar,
Virudhunagar District,
Virudhunagar.

2.The Sub Registrar,
Seithur,
Rajapalayam Taluk,
Virudhunagar.

... Respondents

Prayer:Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order passed by the second respondent in refusal check Slip RFL/seithur/7/2023 dated 27.04.2023 and quash the same as illegal and consequently, direct the second respondent to register the documents covered under the Sale Deed dated 27.04.2023, presented for registration.



WEB COPY



W.P.(MD)No.11386 of 2023

For Petitioner : Mr.S.Mahalingam
For Respondents : Mr.D.Gandhiraj
Special Government Pleader

ORDER

This Writ Petition has been filed to call for the records relating to the impugned order passed by the second respondent in refusal check Slip RFL/seithur/7/2023 dated 27.04.2023, quash the same as illegal and consequently, direct the second respondent to register the documents covered under the Sale Deed dated 27.04.2023, presented for registration.

2. The learned counsel appearing for the petitioner would submit that the petitioner has proposed to purchase a land to an extent of 4 cents in Survey No.339/6C at Chokkanthanputhur, Melur Duraiswamypuram Village from one Balasubramaniam for a valid consideration of Rs.2,63,988/-. When the petitioner presented the document for registration before the second respondent, the same was rejected on the ground that the petitioner's land is not falling under unapproved layout and the document is contradictory to Section 22(A)(2) of the Registration



W.P.(MD)No.11386 of 2023

Act. On that ground, the present impugned order is passed.

WEB COPY

3. The learned counsel appearing for the petitioner would submit that it would suffice if this Court permits the petitioner to approach the Planning Authority for approval of the plot and upon such approval, the petitioner may be permitted to present the document for registration.

4. Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents.

5. Considering the limited request made by the learned counsel appearing for the petitioner, this Court, without interfering with the impugned order passed by the second respondent, permits the petitioner to approach the Planning Officer for approval of the plot by paying necessary charges within a period of two weeks from the date of receipt of a copy of this order. After obtaining approval, liberty is granted to the petitioner to present the document for registration. Once such approval is granted, the concerned Authority is directed to entertain the document



W.P.(MD)No.11386 of 2023

and pass appropriate orders.

WEB COPY

6. Accordingly, this Writ Petition is disposed of. No costs.

Connected miscellaneous petition is closed.

04.05.2023

Index: Yes/No
Internet: Yes/No
ssb/sm

To

1. The District Registrar,
Virudhunagar District,
Virudhunagar.

2. The Sub Registrar,
Seithur,
Rajapalayam Taluk,
Virudhunagar.



WEB COPY



W.P.(MD)No.11386 of 2023

M.DHANDAPANI,J.

ssb/sm

W.P.(MD)No.11386 of 2023

04.05.2023