



WP(MD)No.12928 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 06.07.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP(MD)No.12928 of 2023
and
WMP(MD)No.10945 of 2023

1.M.Sariba Begum

2.A.Thoulath Nisha Begum

... Petitioners

v.

1.The Sub Registrar,
North Veeravanallur,
Tirunelveli.

2.S.Packiya Muthu

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Certiorarified Mandamus calling for the records relating to the impugned order of the first respondent in Refusal Check Slip No.RFL/North Veeravanallur/56/2023 dated 16.05.2023 and quash the same and consequently, directing the first respondent to register and release the document in favour of the petitioners within a stipulated time limit.



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For Petitioners : Mr.P.P.Alwin Balan

For Respondents : Mr.M.Sarangan,
Additional Government Pleader
for R.1

No appearance for R.2

ORDER

The petitioners intended to purchase a land in S.No.984/1B to an extent of 22 cents. The sale deed submitted by this petitioners has been returned, by referring a Circular issued by the Inspector General of Registration. Aggrieved over the same, the petitioners have filed this writ petition.

2.Learned Counsel for the petitioners submitted that the petitioners have purchased this land for the purpose of agricultural activities and in the absence of any specific provision prohibiting this exchange of land, the first respondent is not entitled to refuse to register the document submitted by the petitioners.



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3.Learned Additional Government Pleader, by referring Circular No.3, dated 11.04.2018, issued by the Inspector General of Registration, submitted that the petitioners have intended to purchase the property for the purpose of housing and not for agricultural purpose. Therefore, as directed by the Inspector General of Registration, the document was refused to be registered.

4.A perusal of the Circular issued in No.3, dated 11.04.2018, shows that there cannot be any registration of documents less than 20 cents. The petitioners are purchasing 22 cents of land. Therefore, by referring this Circular, there cannot be any restriction from the first respondent to register the document.

5.In view of the above, this writ petition is allowed with a direction to the petitioners to submit the document for fresh registration and on such submission, the first respondent is directed to register the document. No costs. Consequently, connected miscellaneous petition is closed.

Index : Yes / No
NCC : Yes / No
gk

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B.PUGALENDHI, J.

gk

To

The Sub Registrar,
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