



WEB COPY



WP.No.16074 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **24.06.2024**

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THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

WP.No.16074 of 2024

J.Heeralal

.. Petitioner

Versus

1. The Inspector General of Registration,
Santhome High Road, Chennai.
2. The District Registrar,
O/o.of the District Registrar, Velappadi, Vellore District.
3. The Sub Registrar,
SRO Office, Gudiyatham, Vellore District.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for the records from the file of the third respondent relating to RFL / Gudiyatham / 8 / 2024 dated 20.05.2024 and quash the same and consequently to direct the third respondent to register the documents on presentation relating to the property comprised in Survey Nos.191/2, 191/3, 192/2A and 192/2D3 situated at Nellorepettai Village, Gudiyatham Taluk, Vellore District measuring an extent of one share in 6/20 being undivided agricultural land and complete the registration within the time frame to be fixed by this Court.



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For Petitioner : Mr.D.Rameshkumar

For Respondents : Mr.Yogesh Kannadasan
Special Government Pleader – R1 to R3

ORDER

With the consent of both sides, this Writ Petition is taken up for final disposal at the admission stage itself.

2. This writ petition is filed to quash the impugned check slip in RFL / Gudiyatham / 8 / 2024 dated 20.05.2024 and consequently to direct the third respondent to register the documents on presentation relating to the property comprised in Survey Nos.191/2, 191/3, 192/2A and 192/2D3 situated at Nellorepettai Village, Gudiyatham Taluk, Vellore District measuring an extent of one share in 6/20 being undivided agricultural land and complete the registration within the time frame to be fixed by this Court.

3. Heard the learned counsel for the petitioner and the learned Special Government Pleader appearing for the respondents and perused the materials available on record.

<https://www.mhc.tn.gov.in/jud4> 4. It is the case of the petitioner that the petitioner is the absolute owner



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of the agricultural property situate at Nellorepettai Village, Gudiyatham Thaluk. When the petitioner intended to sell his property and presented the sale deed for registration, the same has been refused to be registered on the ground as the land has been subdivided as house site, the present document referring as agricultural land, cannot be registered. Challenging the same, the present Writ Petition has been filed.

5. It is to be noted that larger extent was purchased as agricultural land and subsequently, some area were dealt as house sites. Therefore, merely because some area has been dealt as house site, it does not mean that it will take away the right of the owner to enjoy his land as an agricultural property. Hence, this Court is of the view that merely because some portion of the land in a particular survey number has been sold as house sites earlier, when the remaining land remained as an agricultural land and no layout has been formed in the survey number with the approval of the competent authorities, there is no bar for registering authorities in registering agricultural lands. In such view of the matter, the refusal slip cannot be sustained in law.

6. Accordingly, this Writ Petition is allowed and the refusal slip of the



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third respondent dated 29.05.2024 stands quashed and the third respondent is directed to register the sale deed dated 16.04.2024 presented by the petitioner within a period of fifteen days from the date of receipt of a copy of this Order.

No costs.

24.06.2024

vrc

Index : Yes/No
Internet : Yes/No
Neutral Citation : Yes/No

To,

1. The Inspector General of Registration,
Santhome High Road, Chennai.
2. The District Registrar,
O/o.of the District Registrar, Velappadi, Vellore District.
3. The Sub Registrar,
SRO Office, Gudiyatham, Vellore District.



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N. SATHISH KUMAR, J.

VRC

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