



W.P.No.23782 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.08.2024

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THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.23782 of 2024

Palaniyammal

... Petitioner

VS.

1. The District Registrar,
Dharmapuri District.

2. The Sub-Registrar,
Dharmapuri West,
Dhaarmapuri District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned proceedings dated 19.7.2024 made in refusal check slip in RFL/Dharmapuri West/104/2024 issued by the 2nd respondent quash the same as illegal improper unreasonable arbitrary and against the principles of natural justice and thereby direct the 2nd respondents to register the sale deed dated 19.7.2024 (TP/187807755/2024) presented by the petitioner.

For Petitioner : Mr.B.Sundarapandiyam

For Respondents : Mr.M.Shahjahan



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Special Government Pleader

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ORDER

Aggrieved by the order dated 19.07.2024 passed by the 2nd respondent refusing registration of the Sale Deed dated 11.07.2024 presented for registration, the petitioner is before this Court.

2. The petitioner purchased the property described as a house site situated in Survey Nos.506/2A, 506/2B and 506/2C, Nallampalli Taluk, Dharmapuri Registration District, under a Sale Deed dated 11.07.2024 and presented the Sale Deed for registration.

3. The 2nd respondent refused registration and issued the impugned refusal slip dated 19.07.2024 on the ground that the subject matter of the sale was an unapproved house site and therefore, registration of the same is barred under Sections 22 (A) and 22 (A)(2) of the Registration Act. Aggrieved by the same, the petitioner is before this Court.

4. The learned counsel for the petitioner vehemently contended that even in the guideline register maintained by the department, the land in the



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above mentioned Survey Numbers, i.e., Survey Nos.506/2A, 506/2B and 506/2C, are treated as residential plots and therefore, the impugned order passed by the 2nd respondent is unsustainable in law.

5. It is seen from the description of the property found in the Sale Deed presented for registration and also the guideline register enclosed in the typed set of papers, the land in Survey Nos.506/2A, 506/2B and 506/2C, are treated as residential house sites.

6. Admittedly, the subject matter of the Sale Deed is an unapproved vacant plot. Therefore, bar under Sections 22 (A) and 22(A)(2) of the Registration Act, gets attracted. The 2nd respondent is justified in refusing registration and therefore, I do not find any error in the order passed by the 2nd respondent. Accordingly, the writ petition stands dismissed. No Costs.

19.08.2024

Index : Yes/No
Speaking order: Yes/No
Neutral Citation: Yes/No
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To

1. The District Registrar,
Dharmapuri District.

2. The Sub-Registrar,
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S.SOUNTHAR, J.

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