



W.P.No. 26240 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 21.11.2024

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No. 26240 of 2024

V.P.Nallasamy

... Petitioner

Vs

1. The District Registrar,
(Administration),
District Registrar Office,
Collectorate,
Salem 636 001.

2. The Sub Registrar,
Magudanchavadi SRO,
Salem District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking Writ of Certiorarified Mandamus Calling for the records relating to the impugned Refusal Check Slip in RFL/ Magudanchavadi/ 242/ 2024 dated 14.08.2024 passed by the 2nd respondent quash the same and consequently direct the respondents to register the Sale deed dated 14.08.2024 executed by the petitioner in favour of



W.P.No. 26240 of 2024

Tmt.S.Visalakshi in respect of a house site No.3 measuring 2460 sq.ft comprised in S.F. No.26/3 Kandarkulamanickam Village Sankari Taluk Salem District.

For Petitioner : Mr.N.Manokaran

For Respondents 1 &2 : M/s.C.Meera Arumugam
Additional Government Pleader

ORDER

Aggrieved by the refusal check slip issued by the 2nd respondent refusing to register the Sale Deed dated 14.08.2024, the petitioner is before this Court.

2. The refusal is on the ground that the property in question is not an approved layout. The documents would reveal that the petitioner had made an application dated 23.02.2021 to the Director, Town and Country Planning for regularization of the house site as per G.O.(Ms) No.78, Housing and Urban Development [UD4(3)] Department dated 04.05.2017 along with the requisite charges. Thereafter, the Assistant Director of Town Planning Authority had

2/5



granted approval in her proceedings in Na.Ka.No.481/2022/Se.Ma-3 dated 10.02.2022. The petitioner has also applied for regularization before the Directorate of Town and Country Planning on 28.03.2022 by paying requisite charges and the Block Development Officer (Village Panchayat), Magudanchavadi has granted an order of regularization. Therefore, the petitioner would submit that his property does not come under an unapproved layout and has been approved by the competent authority. The competent authority, as defined under Rule 2(2)(d) of G.O.Ms.No.78, clearly shows that in case of a Village Panchayat, the Block Development Officer is the competent authority.

3. Therefore, taking note of the approval obtained by the petitioner from the Block Development Officer (Village Panchayat), Magudanchavadi on 31.03.2022, the contention of the 2nd respondent that it is an unapproved plot cannot be countenanced. Accordingly, the writ petition is allowed and the impugned order dated 14.08.2024 is set aside. The 2nd respondent is directed to register the



W.P.No. 26240 of 2024

Sale Deed dated 14.08.2024, within a period of 2 months, from the date of receipt of a copy of this order. No costs.

21.11.2024

Index: Yes/No
Speaking order/non-speaking order
Neutral Citation: Yes/No
sm

To,

1. The District Registrar,
(Administration),
District Registrar Office,
Collectorate,
Salem 636 001.

2. The Sub Registrar,
Magudanchavadi SRO,
Salem District.



WEB COPY



W.P.No. 26240 of 2024

P.T.ASHA, J.,

srn

W.P.No. 26240 of 2024

21.11.2024