



WEB COPY



W.P.No.29505 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.10.2024

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P No.29505 of 2024

J.Priyadarshini

...Petitioner

Vs.

1.The District Collector
Tirupattur, Tirupattur District.

2.The District Registrar
Tirupattur, Tirupattur District.

3.The Sub-Registrar
Vaniyambadi, Tirupattur District.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, to call for the records in Refusal Check Slip in RFL/Vaniyambadi/97/2024, dated 24.08.2024 passed by the third respondent and to quash the same as null and void and to direct the third respondent to register the sale deed executed by G.Arasu in favour of the



W.P.No.29505 of 2024

petitioner on its presentation, without insisting for any approval from planning authority and for any other relief or reliefs as this Court deems fit in the circumstances of the case.

For Petitioner : Mr.PA.Sudesh Kumar

For Respondents : Mr.M.Shahjahan for R1 to R3
Special Government Pleader

ORDER

Aggrieved by the impugned Refusal Check Slip issued by the third respondent refusing to register the sale deed presented for registration on the ground that it is hit by Section 22-A of the Registration Act, the petitioner has come by way of this Writ Petition.

2. It is the case of the petitioner that she purchased the agricultural punjai land situated in S.Nos.55/1D1B, 55/1D1A and 55/1D1A1 at Kethandapatti Village Madura, Koothandakuppam Village, Natrampalli Taluk, Tirupattur District from its ex-owner one G.Arasu. The patta for the property also stands in the name of the petitioner's vendor G.Arasu. In the revenue documents the property is classified as agricultural punjai land. When the sale



W.P.No.29505 of 2024

deed is presented for registration, the third respondent refused to register the same, on the ground that the subject property is a house site and hence, it is hit by Section 22-A of the Registration Act.

3. The learned counsel for the petitioner submitted that the property has been classified as agricultural punjai land in the revenue documents and the petitioner has described the same as Punjai land in the Revenue documents and in such circumstances, the third respondent is not justified in refusing to register on the ground that the subject property is a house site and hit by Section 22-A of the Registration Act.

4. Only in cases where the property is sold as house site without proper planning approval, the third respondent is entitled to refuse the registration by citing Section 22-A of the Registration Act. However, in the case on hand, the property is classified as Punjai land in the revenue documents and sold as punjai land. When it is not sold as house site, the third respondent is not entitled to refuse to registration by citing Section 22-A of the Registration Act.



WEB COPY



W.P.No.29505 of 2024

5. Accordingly, the Writ Petition is allowed and the impugned Refusal Check Slip is quashed. The petitioner is directed to represent the same before the third respondent within a period of two weeks from the date of receipt of copy of this order and the third respondent shall consider the same for registration, if it is otherwise in order.

6. With the above observation, this Writ Petition is allowed. No costs.

14.10.2024
(1/2)

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
dna



WEB COPY



W.P.No.29505 of 2024

To

- 1.The District Collector
Tirupattur, Tirupattur District.
- 2.The District Registrar
Tirupattur, Tirupattur District.
- 3.The Sub-Registrar
Vaniyambadi, Tirupattur District.



WEB COPY



W.P.No.29505 of 2024

S.SOUNTHAR, J.
dna

W.P No.29505 of 2024
(1/2)

14.10.2024