



WP.Nos.37947 & 37949
of 2024

In the High Court of Judicature at Madras

Dated : 19.12.2024

Coram :

The Honourable Ms.Justice P.T.ASHA

Writ Petition Nos.37947 & 37949 of 2024

S.Gowri

...Petitioner in
WP.No.37947 of
2024

R.Nirosha

...Petitioner in
WP.No.37949 of
2024

Vs

1.The Inspector General of
Registration, 100, Santhome
High Road, Mullima Nagar,
Mandavelipakkam, R.A.Puram,
Chennai-28.

2.The Sub-Registrar,
Kaveripakkam Sub-Registrar
Office.

...Respondents in
both WPs

PETITIONS under Article 226 of The Constitution of India praying
for the issuance of Writs of Certiorarified Mandamus

(i) to call for the records of impugned order passed by the 2nd
respondent in RFL/Kaveripakkam/138/2024 dated 21.11.2024, quash
the same as illegal arbitrary and non-est in law and consequently



WP.Nos.37947 & 37949
of 2024

direct the 2nd respondent to register the sale deed dated 21.11.2024 and release the registered sale deed to the petitioner within the time stipulated by this Court (WP.No.37947 of 2024); and

(ii) to Call for the records of impugned order passed by the 2nd respondent in RFL/Kaveripakkam/137/2024 dated 21.11.2024, quash the same as illegal arbitrary and non-est in law and consequently direct the 2nd respondent to register the sale deed dated 21.11.2024 and release the registered sale deed to the petitioner within the time stipulated by this Court (WP.No.37949 of 2024).

For Petitioners : Mr.K.Mukund Rao
For Respondents : Ms.C.Meera Arumugam, AGP

COMMON ORDER

Challenging the check slips issued by the second respondent refusing to register the sale deeds both dated 21.11.2024 presented by the respective petitioner and to issue a consequential direction to the second respondent to register the same, the petitioners are before this Court.

2. Heard the learned counsel for the petitioners and the learned Additional Government Pleader accepting notice for the respondents.



WP.Nos.37947 & 37949
of 2024

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3. The petitioner in WP.No.37947 of 2024 purchased the property measuring 9 1/2 cents out of a total extent of 31 1/2 cents in old S.No145/2, new S.No.145/2B2, Alapakkam Village, Nemili Taluk, Ranipet District. The petitioner in WP.No.37949 of 2024 also purchased the property measuring 11 cents out of the same total extent of 31 1/2 cents in old S.No145/2, new S.No.145/2B2, Alapakkam Village, Nemili Taluk, Ranipet District. When the sale deeds were presented by the respective petitioner before the second respondent for registration, the impugned check slips were issued on the ground that the same is hit by the provisions of Section 22A(2) of the Registration Act as amended by the Tamil Nadu Registration (Amendment) Act, which prohibits the sale of unapproved layouts.

4. The learned counsel for the petitioners would submit that the lands in question are not house sites, but only agricultural lands and that the description of the properties would also show that the properties in question are agricultural lands measuring 9 1/2 cents and 11 cents respectively. The patta issued to the vendor of the petitioners also describes the subject properties as agricultural lands. Therefore, the reason for refusal is misdirected.



WP.Nos.37947 & 37949
of 2024

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5. Accordingly, the writ petitions are allowed, the impugned refusal check slips are set aside and the second respondent is directed to register the sale deeds presented by the respective petitioner within a period of two weeks from the date of their representation. No costs. The learned Additional Government Pleader is entitled to separate fees in each of the cases.

19.12.2024

To

1.The Inspector General of
Registration, 100, Santhome
High Road, Mullima Nagar,
Mandavelipakkam, R.A.Puram,
Chennai-28.

2.The Sub-Registrar,
Kaveripakkam Sub-Registrar
Office.

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WP.Nos.37947 & 37949
of 2024

P.T.ASHA,J

RS

WP.Nos.37947 & 37949
of 2024

19.12.2024