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WP.Nos.38439, 38446 &
38448 of 2024

In the High Court of Judicature at Madras

Dated : 16.12.2024

Coram :

The Honourable Ms.Justice P.T.ASHA

Writ Petition Nos.38439,38446 & 38448 of 2024

Ramani

...Petitioner in
WP.No.38439 of
2024

Mohammed Junaith

...Petitioner in
WP.No.38446 of
2024

Vidhya

...Petitioner in
WP.No.38448 of
2024

Vs

1.The District Registrar,
Dharmapuri District.

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

...Respondents
in all the WPs

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

(i) to call for the records relating to the impugned proceedings
dated 19.7.2024 made in refusal check slip in RFL/Dharmapuri West/
102/2024 issued by the 2nd respondent, quash the same as illegal,



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improper, unreasonable, arbitrary and against the principles of natural justice and thereby direct the 2nd respondent to register the sale deed dated 19.7.2024 (TP/187808995/2024) presented by the petitioner (WP.No.38439 of 2024);

(ii) to call for the records relating to the impugned proceedings dated 19.7.2024 made in refusal check slip in RFL/Dharmapuri West/105/2024 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 respondent to register the sale deed dated 19.7.2024 (TP/188525160/2024) presented by the petitioner (WP.No.38446 of 2024); and

(iii) to call for the records relating to the impugned proceedings dated 19.7.2024 made in refusal check slip in RFL/Dharmapuri West/103/2024 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 respondent to register the sale deed dated 19.7.2024 (TP/187814914/2024) presented by the petitioner (WP.No.38448 of 2024).

For Petitioners in all the WPs	:	Mr.L.Chandrakumar
For Respondents in all the WPs	:	Mr.M.Shahjahan, SGP



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COMMON ORDER

Challenging the check slips issued by the second respondent all dated 19.7.2024 refusing to register the sale deeds presented by the respective petitioner and seeking 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 Special Government Pleader accepting notice for the respondents.

3. The case of the respective petitioner is as follows :

The petitioner in W.P.No.38439 of 2024 purchased the property measuring 2,000 sq.ft. out of a total extent of 13,625 sq.ft. in S.No.506/2A measuring 0.06 cents, S.No.506/2B measuring 0.07 1/2 cents and S.No.506/2C measuring 0.22 cents situated at A.Jettihalli Village, Nallampalli Taluk, Dharmapuri District for a valid sale consideration from one Mr.R.M.Sankar through his power of attorney namely one Mr.S.Karthikeyan. Both the petitioner in W.P.No.38446 of 2024 purchased the property measuring 1,744 sq.ft. and the petitioner in W.P.No.33448 of 2024 purchased the property measuring 2,289 sq.ft. out of the said total extent of 13,625 sq.ft. When the



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corresponding sale deeds dated 11.7.2024 were presented by the respective petitioner for registration, the second respondent refused to register the same. Hence the writ petitions.

4. The parent document would describe the total extent of the property as an agricultural land measuring 13,625 sq.ft. Out of the said total extent, 2,000 sq.ft., 1744 sq.ft and 2,289 sq.ft. are the subject matters of sale. The second respondent refused to register the sale deeds on the ground that the properties, which are the subject matters of sale, are in an unapproved layout.

5. However, on a perusal of the documents that have been enclosed along with the respective affidavits filed in support the writ petitions would indicate that the other house sites were registered. Considering the Proviso to Section 22-A(2) of the Registration Act, there is no impediment to register the sale deeds presented by the respective petitioner. That apart, the respondents themselves fixed the guideline value with reference to the very same survey numbers.

6. In the light of the above, the writ petitions are allowed, the impugned refusal check slips are set aside and the second respondent



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is directed to register the sale deeds presented by the respective petitioner within a period of two weeks from the date of their representation. The Special Government Pleader is entitled to separate fees in each of the cases. No costs.

16.12.2024

To

1.The District Registrar,
Dharmapuri District.

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

RS



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P.T.ASHA,J

RS

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