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W.P.(MD)NO.6445 OF 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 05.04.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.6445 of 2024

Leelavathi

... Petitioner

Vs.

The Sub Registrar,
Velayuthampalayam,
Karur District.

... Respondent

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to RFL/Velayuthampalayam/5/2024 dated 28.02.2024 on the file of the respondent herein and quash the same and consequently direct the respondent to make necessary entry in the encumbrance certificate showing the final decree in IA.No.671/96 in O.S.No.29/83 dated 09.09.1997 on the file of the Sub Court, Karur.

For Petitioner : Mr.P.Samuel Gunasingh

For Respondent : Mr.R.Ragavendran,
Government Advocate.

* * *



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ORDER

Heard both sides.

2. The petitioner entered into partition arrangement. The document dated 28.02.2024 was presented for registration. The registering authority declined to register the document on the ground that the description of the property has been mentioned as Punjai Thottakurichi Village. The respondent's stand is that in their records, it is mentioned as Nanchai Thottakurichi Village. I wanted to know from the respondents as to whether re-classification took place.

3. I am of the view that on this ground, registration cannot be refused. The respondent is going to levy stamp duty based on their Guideline Value. It is not as if, an agricultural land is being dealt with as non-agricultural land. Classification is only between Nanjai and Punjai. Registration can be refused only for the reasons set out in Sections 22A and 22B of the Registration Act 1908. The reason projected in the impugned refusal check slip does not fall under any of those categories. On this sole ground, the impugned refusal check slip is



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quashed. The petitioner is permitted to re-present the document. It shall be received and registered subject to fulfilment of the other usual formalities. This writ petition stands allowed. No costs.

05.04.2024

Index : Yes / No

Internet : Yes/ No

PMU

To:

The Sub Registrar,
Velayuthampalayam,
Karur District.



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G.R.SWAMINATHAN,J.

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