



WEB COPY



W.P.(MD)No.25779 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.10.2024

CORAM

**THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR**

W.P.(MD)No.25779 of 2024

A.Muruganandham

... Petitioner

Vs.

The Sub Registrar,  
Joint-II Sub Registration Office,  
Dindigul, Dindigul District.

... Respondent

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records relating to the impugned order of refusal check slip issued by the respondent in his proceedings in RFL/2 Joint II Sub Registrar Dindigul/76/2024, dated 08.10.2024 and quash the same as illegal and consequently directing the respondent to register the decree passed in O.S.No.469 of 1983 on the file fo the Additional District Munsif Court, Dindigul dated 10.10.1993.

For Petitioner : Mr.T.Pradeep  
for M/s.B.Saravanan Associates  
For Respondent : Mr.P.Subbaraj  
Special Government Pleader

**ORDER**

This writ petition is filed challenging the refusal check slip issued by the respondent dated 08.10.2024 and to direct the respondent to register the decree



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passed in O.S.No.469 of 1983 by8 the Additional District Munsif Court,  
Dindigul, dated 10.10.1993.

2.Mr.P.Subbaraj, learned Special Government Pleader takes notice for the respondent.

3.By consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

4.The case of the petitioner is that the property in question belonged to the grandfather of the petitioner. With regard to the said property, a suit in O.S.No.469 of 1983 came to be filed by the father of the petitioner. The decree was also obtained by the father of the petitioner. In the meanwhile, the father of the petitioner died. Hence, the petitioner presented the said decree for registration. However, the same was refused to be registered on the ground that the decree has not been presented by the party to the suit and the property is shown as Bhoomidhanam property in the records.

5.At the outset, this Court is of the view that the order impugned in this writ petition cannot be sustained in the eye of law for the simple reason that the



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petitioner is none other than the son of the decree holder. Hence, there will not be any bar under the statute to register the said decree by the legal heir of the decree holder. Insofar as the other ground that the property is shown as bhoomadhan land is concerned, it is relevant to note that even assuming that the subject property is shown as bhoomidhan land, that will not be a bar for registering the decree of the civil Court. The very object of Section 22-A of the Act is only to restrict conversion of agricultural land or any other land as unapproved house sites without the permission for development of such land from planning authority concerned. In the case on hand, mere registration of the decree will not amount to transfer any property.

6. Accordingly, this writ petition stands allowed and the order passed by the respondent in RFL/2 Joint II Sub Registrar Dindigul/76/2024 dated 08.10.2024 is quashed. The respondent is directed to register the decree presented by the petitioner within a period of one week from the date of receipt of a copy of this order. No costs.

**29.10.2024**

NCC:yes/no  
Index:yes/no  
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To

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The Sub Registrar,  
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**N.SATHISH KUMAR, J.**

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