



W.P.(MD)No.30789 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **18.12.2024**

CORAM:

THE HONOURABLE **MR.JUSTICE G.K.ILANTHIRAIYAN**

W.P.(MD)No.30789 of 2024

and

W.M.P(MD)Nos.25857 & 25897 of 2024

S.Murugan

... Petitioner

/Vs./

The Sub-Registrar,  
Paavoor Chatram,  
Sub Registrar Office,  
Tenkasi District.

... Respondent

**PRAYER:** Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records of the Impugned Refusal Order dated 21.11.2024 on the file of the respondent vide proceeding in Refusal No.RFL/Paavoor Chatram/26/2024 and quash the same and further directing the respondent to register the petitioner's sale deed dated 21.11.2024 in respect of the property bearing Ayan Punjai Survey No.1006/2C2, Thippanampatti, Ariyappapuram Panchayat, Keelapaavoor Union, Tenkasi District.



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For Petitioner : Mr.I.Robert Chandra Kumar

For Respondent : Mr.M.Sarangan

Additional Government Pleader

**ORDER**

This writ petition has been filed challenging the refusal check slip issued by the respondent, dated 21.11.2024 on the ground that the subject property is an unapproved plot.

2. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

4. The petitioner had purchased the property comprised in S.No. 1006/2C2 situated at Thippanampatti, Ariyappapuram Panchayat, Keelapaavoor Union, Tenkasi District from one Sivakumar by the sale deed dated 21.09.2024. It was presented for registration before the respondent, however, the respondent refused to register the sale deed on



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the ground that the subject property is an unapproved one. The petitioner's vendor had purchased the very same property by the registered sale deed dated 17.06.2021 vide document no.2946/2021. Though it is an unapproved plot, already it was purchased as house-site. As per Section 22-A(2) of the Registration Act, the registering authority shall refuse to register if the instrument relating to transfer of ownership of lands converted as house-sites without permission for development of such land from planning authority concerned. However, the proviso says that the house sites without such permission may be registered if it is shown that the same house site has been previously registered as house site.

5. Admittedly, in the case on hand, the subject property was purchased by the petitioner's vendor as house site by the registered sale deed dated 17.06.2021 vide document No.2946/2021. Therefore, absolutely there is no impediment for the respondent to register the sale deed, which was presented by the petitioner for registration.



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6. In view of the above, this Court finds infirmity in the order passed by the respondent, dated 21.11.2024 and it cannot be sustained and liable to be quashed.

7. Accordingly, the order of the respondent dated 21.11.2024 is quashed and the writ petition is allowed. The petitioner is directed to represent the sale deed for registration. On receipt of the same, the respondent is directed to register the same and release the document forthwith, if it is otherwise in order. No costs. Consequently, connected miscellaneous petitions are closed.

**18.12.2024**

Index : Yes / No  
Internet : Yes/No  
NCC : Yes / No  
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To

The Sub-Registrar,  
Paavoor Chatram,  
Sub Registrar Office,  
Tenkasi District.



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**G.K.ILANTHIRAIYAN, J.**

am

Order made in  
**W.P.(MD)No.30789 of 2024**

Dated:  
**18.12.2024**