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W.P.No.800 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 10.01.2025

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THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No. 800 of 2025

K.Govindharaj

.... Petitioner

Vs

1. The District Registrar,
Thirupathur District.

2. The Joint Sub Registrar No.2,
Thirupathur,
Thirupathur District.

.... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, call for the records relating to the impugned proceedings dated 17.12.2024 made in refusal check slip in RFL/2 Joint Sub-Registrar Thirupathur/337/2024 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 respondents to register the sale deed dated 16.12.2024 (TP/ 204337180/ 2024) presented by the petitioner.

For Petitioner : Mr.B.Sundarapandiyan



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For Respondents : Mr.P.Harish
Government Advocate

ORDER

Aggrieved by the fact that the petitioner's document, viz., a sale deed, has been rejected through the refusal check slip on 17.12.2024, the petitioner is before this Court.

2. The facts leading to the filing of the writ petition are set out below. The petitioner would submit that the property, comprised in Survey No.321/6B admeasuring 0.10 cents and in Survey No.321/6D1 admeasuring 0.01 cents, situated at Kunichi Revenue Village, Thirupatthur Taluk, Thirupathur District, originally belonged to Alamelu, Chinnakasiyammal @ Kasiyammal and Saroja. The property was their ancestral property and a joint patta was issued in their favour. The petitioner purchased the property from the aforesaid persons, and a sale deed dated 17.12.2024 was executed. The same was presented before the second respondent on 17.12.2024. The registration fees and stamp duty, totaling Rs.1,08,410/-, were also paid. However, when the petitioner's vendors had appeared before the second



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respondent, the second respondent refused to register the same stating that if the property was agricultural land, approval should be obtained from the Agricultural Department, or if it was a house site, approval of the property layout from the concerned department was required. Based on this, the refusal check slip was issued. The petitioner is now challenging this order before this Court.

3. The property proposed to be sold is an extent of 0.11 cents of punja land. The petitioner's vendors have also been issued a patta which describes the property as punja land. Admittedly, the property is not part of any layout. In fact, a mere perusal of the property's schedule shows that it does not even have a road as its boundary, and it is only an easement right of way has been granted. Therefore, the grounds on which the sale deed has been refused to register cannot be sustained and the refusal check slip issued by the second respondent is liable to be quashed.

4. Accordingly, the impugned proceedings dated 17.12.2024 made in refusal check slip in RFL/2 Joint Sub-Registrar



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Thirupathur/337/2024 issued by the 2nd respondent is hereby quashed.

The second respondent is directed to register the sale deed within a period of two weeks from the date of production of the sale deed.

5. With the above direction, this writ petition stands allowed. No costs.

10.01.2025
(¹/₂)

Index : Yes/No
Internet : Yes/No
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To
1. The District Registrar,
Thirupathur District.

2. The Joint Sub Registrar No.2,
Thirupathur,
Thirupathur District.

P.T. ASHA, J,

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