



WEB COPY



W.P.No.1861 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.01.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.1861 of 2025

S.Vinithkumar

... Petitioner

Vs.

1. The District Registrar,
Thirupathur District.

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

..Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Certiorarified Mandamus, to call for the records relating to the impugned proceedings dated 27.12.2024 made in refusal check slip in RFL/2 Joint Sub-Registrar Thirupathur/355/2024 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 27.02.2024 (TP/205216258/2024) presented by the petitioner.



WEB COPY



W.P.No.1861 of 2025

For Petitioner : Mr.B.Sundarapandiyan

For Respondents : Mr.M.Shahjahan,
Special Government Pleader

ORDER

The Writ Petition is filed for the following relief:

(i) The case of the petitioner is that the property, measuring an extent of 0.40 cents, comprised in old S.No.266/21 and New S.No.266/14, Bommikuppam Village, Tirupathur Taluk, belongs to one Dhatchanamoothi. He purchased the property under a registered sale deed bearing Doc.No.3974 of 2004, recorded in the office of the second respondent, from one Padmavathi, W/o.Kaveri Gownder.

(ii) After his purchase, the Patta was transferred to his name under Patta No.9637. The petitioner's vendor had been in possession and enjoyment of the said property since the date of purchase. Subsequently, he agreed to sell the property to the petitioner, and the sale deed was submitted for online registration on 26.12.2024. The document was assigned a temporary registration number, and they were directed to physically present the document on 27.12.2024 between 10.00 and 1.00 p.m.



(iii) However, the second respondent refused to register the document, stating that the property proposed to be sold is a house site, and accordingly, issued a refusal check slip. Aggrieved by this, the petitioner has approached this Court.

2. Heard Mr.Sundara Pandiyan, learned counsel for the petitioner, and Mr.Shahjahan, learned Special Government Pleader, who has taken notice on behalf of respondents 1&2.

3. The document filed along with the Writ Petition shows that the petitioner's vendor had purchased the property under a sale deed registered in the office of the second respondent on 05.08.2004. She purchased an extent of 90 cents from a total extent of 0.20.0 hectares. The property has been described as 'Punja lands', and the patta has also been issued in the name of said Dhatchanamoorthis. The Adangal extract for Fasli 1434 also describes the property as 'Punjai lands' and indicates that these lands have been cultivated with 'Gramanatham'. The petitioner has purchased 40 cents out of the 90 cents under the impugned sale deed, which is the subject matter of the refusal check slip. The description of the property remains as 'Punja lands' and not as a house site.



W.P.No.1861 of 2025

4. Therefore, the refusal of registration lacks any legal basis. The property has not been alienated as a house site but remains agricultural land. The respondents, who have been repeatedly cautioned by the Courts against conducting such inquiries, have exceeded their jurisdiction in this matter.

5. Accordingly, the Writ Petition is allowed. The refusal check slip is set aside. The second respondent is directed to register the sale deed dated 27.02.2024 within a period of two (2) weeks from the date of representation by the petitioner. No costs.

28.01.2025

nvi

Index : Yes/No

Speaking Order: Yes/No

Neutral Citation : Yes/No

To

1. The District Registrar,
Thirupathur District.

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



WEB COPY



W.P.No.1861 of 2025

P.T. ASHA. J.,

nvi

W.P.No.1861 of 2025



WEB COPY



W.P.No.1861 of 2025

28.01.2025