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W.P.No.24319 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.10.2025

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THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.P.No.24319 of 2024

Nagammal

... Petitioner

Vs.

1. The Joint Sub Registrar IV,
22 Vanigar Veethi, Kanchipuram 631.

2.The District Registrar,
Kanchipuram.

3.The Special District Revenue
Officer (LA)
The New Chennai Greenfield
International Airport Project,
Division II, Kanchipuram District.

...Respondents

Prayer:Writ Petition filed under Article 226 of the Constitution of India
praying to issue a Writ of Certiorarified Mandamus to call for the records
on the file of the 1st respondent in proceedings No.RFL/4/ 10/2024 dated



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11.07.2024 and to quash the same as illegal, incompetent and without jurisdiction and further direct the 1st respondent to register the document presented on 11.07.2024 executed in favour of the petitioner.

For Petitioner : Mr.V.Raghavachari
Senior Counsel
For Respondents : Mr.U.Baranidharan (R1 and R2)
Special Government Pleader
Mr.P.Sathish (R3)
Additional Government Pleader

ORDER

This Writ Petition has been filed challenging the proceedings of the 1st respondent dated 11.07.2024 and to quash the same as illegal, incompetent and without jurisdiction and further direct the 1st respondent to register the document presented on 11.07.2024 executed in favour of the petitioner.

3. The learned Senior Counsel appearing for the petitioner would submit that the subject property originally belonged to one Chandrammal by virtue of the Sale Deed executed on 16.10.1978. Thereafter, on 07.02.1993,



an oral sale agreement was executed by the said Chandrammal in favour of the petitioner. Thereafter, she passed away on 07.12.2007, leaving behind her children as her legal heirs who executed a Sale Deed in favour of the petitioner on 11.07.2024. However, when the same was presented for registration before the 1st respondent, the same was refused to be registered on the ground that the subject property is proposed to be acquired by the Government through the 3rd respondent for the purpose of new Chennai International Airport Project.

3.1. Further, he would submit that a Notice under Section 3(2) of the Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997 (in short 'the Act') was issued on 07.06.2004, wherein objections were called for the proposed acquisition. Therefore, the impugned order dated 11.07.2024 in refusing to register the document is *ex facie* illegal as the 1st respondent has no power of refusal in this case. Neither Section 22A nor 22B of the Registration Act, 1908 (Tamil Nadu Amendment) empowers the 1st respondent to refuse the registration in respect of a mere proposal of acquisition. A conjoint reading of Sections 3 and 4 of the Act and Sections



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22A and B of the Registration Act, 1908 makes it clear that there is no embargo for registration of Sale Deed in respect of a land which is proposed to be acquired. Hence, left with no other alternative, this writ petition has been filed.

4. The learned Additional Government Pleader appearing for the 3rd respondent would submit that in the case on hand, Section 3(2) Notification was issued on 10.06.2024 calling for objections and the petitioner, along with certain other persons, has filed their objections the said objections will be considered and proceedings will be dropped and in such an event, it is open to the petitioner and the other persons concerned to take a decision with regard to the acquisition of the properties by the respondents in case Section 3(1) Notification is issued.

5. In reply, the learned Senior Counsel appearing for the petitioner would submit that since already Section 3(2) Notification was issued on 07.06.2024, the petitioner will file an affidavit, along with the Sale Deed, to the effect that in the event Section 3(1) Notification is issued and the



respondents proceed with land acquisition, the same can be issued against the purchaser, and hence, now, the 1st respondent may be directed to register the same.

6. The learned Special Government Pleader appearing for the respondents 1 and 2 would submit that if such an affidavit is filed along with the Sale Deed, the same will be accepted and the Sale Deed will be registered.

7. Since, in the present case, Notification under Section 3(2) was issued only for the purpose of calling upon the objections, the submission of the learned Additional Government Pleader that after the receipt of the objections, the 3rd respondent may take the decision to drop the proceedings with respect to acquisition of the property but the property will be acquired if Section 3 (1) Notification is issued and therefore, registration cannot be done by the respondents 1 and 2, is not proper. The issue is between the petitioner and the purchaser. In the event, the petitioner files an affidavit along with Sale Deed stating that in case, the respondents proceed to acquire



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the land, Section 3(1) Notification can be issued very well to the purchaser in respect of the property of the petitioner, the 1st respondent is directed to accept and register the same, if it is otherwise in order.

8. With the above directions, this writ petition is disposed of. No costs.

24.10.2025

Speaking order / Non-Speaking order

Index : Yes / No

Neutral Citation : Yes / No

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KRISHNAN RAMASAMY, J.,

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