



WEB COPY

WP No.27165 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-11-2025

CORAM

THE HONOURABLE MR JUSTICE KRISHNAN RAMASAMY

WP No. 27165 OF 2025

Yogambal,
W/o.Rajamanikkam,
Door No.27/10.26, Panchayat Street,
Kumaragiripettai, Sanniyasigundu Post,
Salem -636 015.

Petitioner

Vs

1.The Inspector General Of Registration,
Registration Department,
Government Of Tamil Nadu,
Santhome, Chennai-600 004.

2.The Sub Registrar,
Joint-1, Sub Registrar Office,
Salem East, Salem District.

Respondents

PRAYER in WP No. 27165 of 2025:-Writ Petition filed under Article 226 of the Constitution of India, praying for an issuance of Writ of Certiorarified Mandamus, calling for the records if the Impugned refusal check slip issued by



the 2nd respondent in Refusal No.RFL/JOINT No.1 SUB REGISTRAR SALEM EAST/125/2025 dated 14.07.2025 and quash the same and consequently direct the 2nd respondent to register sale deed dated 14.07.2025 for its registration forthwith.

For Petitioner(s): Mr.M.Elavarasan

For Respondent: Mr.Abishek Murthy
Government Advocate

ORDER

This writ petition has been filed by the petition challenging the impugned refusal check slip dated 14.07.2025, issued by the 2nd respondent.

2.Learned counsel for the petitioner would submit that the petitioner purchased the land comprised in T.S.No.34/6, Block No.29, Ward AL to an extent of 11.21 cents in 2.251/2 acres of land in S.Nos. 393/13A, 393/12, 393/14 situated at Ammapet Village, Salem Taluk & District through a registered Sale



Deed dated 12.07.2022 in Doc.No.3893 of 2022. Thereafter, the petitioner intend to sell the aforesaid property to one Karthik for a valid sale consideration of Rs.34,22,000/- and entered into a sale deed dated 14.07.2025 and presented the same for registration. However, the 2nd respondent refused to register the sale deed dated 14.07.2025 on the ground that there is bar under Section 22A(2) of the Registration Act, to register the unapproved/unregulated house site and directed the petitioner get approval and resubmit the document for registration.

3.He would further submit that the bar under Section 22A(2) of the Registration Act is only with regard to the unapproved layout which was formed without the permission for development from planning authority concerned and new roads or streets have been laid. But in the present case, the petitioner purchased the land through a registered sale deed dated 12.07.2022 and he has not converted/developed the land and the patta for the subject property has also



been issued as agricultural land. The very object of Section 22A is only to restrict conversion of agricultural land or any other land as unapproved house sits without the permission for development of such land from planning authority concerned. Since the subject property has already been registered on 21.07.2022 as vacant land, the same will not be a bar for the owner of the property to effect subsequent transfers in respect of the same property. Hence, he prayed to set aside the impugned refusal check slip and direct the 2nd respondent to register the sale deed dated 14.07.2025 presented by the petitioner.

4.Learned Government Advocate appearing for the respondents would submit that if at all the subject land is an agricultural land, the same has to be proved by the petitioner.

5.Heard the learned counsel for the petitioner as well as the learned Government Advocate appearing for the respondents and perused the materials



available on records.

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6.Considering the submissions made by the learned counsel for the petitioner as well as the learned Government Advocate appearing for the respondents, it is evident that in the present case, the patta was issued as agricultural land for the subject property and the said aspect was not considered by the 2nd respondent. The 2nd respondent supposed to have conducted enquiry with the petitioner in order to verify whether the subject property was classified as agricultural land before issuing the refusal slip. Thus, since the impugned refusal check slip has been issued without conducting any enquiry, the same is liable to be set aside.

7.Accordingly, the impugned refusal check slip dated 14.07.2025 is set aside and the 2nd respondent is directed to issue notice to the petitioner and decide the matter. If the subject property is classified as an agricultural property, the bar under Section 22A of the Registration Act will not come in the way for registration of the subject property. Therefore, after conducting enquiry, the 2nd



respondent is directed to take a decision regarding the registration of the sale deed dated 14.07.2025 presented by the petitioner.

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

21-11-2025

rst

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To:-

1. The Inspector General Of Registration,
Registration Department,
Government Of Tamil Nadu,
Santhome, Chennai-600 004

2. The Sub Registrar,
Joint-1, Sub Registrar Office,



Salem East, Salem District.

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KRISHNAN RAMASAMY J.

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