



WEB COPY

WA No. 2950 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-10-2025

CORAM

**THE HONOURABLE MR JUSTICE S. M. SUBRAMANIAM
AND
THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ**

W.A. No. 2950 of 2024
and C.M.P.No.21943 of 2024

1. The Managing Director
Tamil Nadu Housing Board CMDA, Building, E and C
Market Road, Koyembedu, Chennai - 107. and another

2.The Executive Engineer-cum-Administrative Officer
Tamil Nadu Housing Board,
Hosur Housing Unit, Hosur – 635 109
Krishnagiri Districtt.

...Appellant(s)

Vs

1. S. Bharathkumar
S/o. Late R. Seetharaman, No.19,
Seven Houses Street,
Hosur Town and Taluk,
Krishnagiri District - 109.

2.The Sub Registrar
Hosur, Krishnagiri District.



3.The Tahsildar Taluk Office
Taluk office, Hosur, Krishnagiri District

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...Respondent(s)

PRAYER

The Writ Appeal is filed under Clause 15 of the Letters Patent Act, to set aside the order passed in W.P. No.584 of 2024 dated 18.03.2024.

For Appellant(s): Mr. S. Ramachandran

For Respondent(s): M/s. R. Bharath Kumar For R1

Mr.U.Baranidharan
Special Government Pleader
For R2 and R3.

JUDGMENT

(Judgment of the Court was delivered by **S. M .SUBRAMANIAM, J.**)

Under assail is Writ Order dated 18.03.2024 in W.P.No.584 of 2024. The Tamil Nadu Housing Board is the appellant before this Court. The first respondent presented a sale deed for registration before the Sub Registrar, Hosur, Krishnagiri District. Based on the letter given by the Housing Board, the registering authority refused to register the sale deed under the Registration Act. The refusal check slip came to be challenged in the writ proceedings.

2. The Writ Court adjudicated the issues by calling for the original records. The Writ Court found that the subject land was acquired by the Government for the benefit of the Tamil Nadu Housing Board. However, the acquisition proceedings came to be declared lapsed under Section 24(2) of



the Land Acquisition Act, 2013, in W.P.No.31591 of 2014 dated 01.04.2016.

The Writ Appeal filed by the Housing Board was dismissed at the condonation of delay stage. Thus, the first respondent is entitled to present sale deed for registration. The Writ Court found that the property right of the first respondent has been infringed by issuing a refusal check slip based on unverified letter given by the Tamil Nadu Housing Board since the land acquisition procedures were declared lapsed under Section 24(2) of the Land Acquisition Act, 2013 by the High Court.

3. The refusal check slip was quashed and the Sub-Registrar was directed to register the sale deed presented for registration. However, in paragraph Nos.10 and 11 of the impugned writ order, a direction was issued to conduct CBI investigation and submit a report before this Court within a period of four months. That apart, Writ Court has made an observation that, there are suspicious circumstances regarding alleged collusion between officials in the matter of dealing with the acquisition proceedings. In the opinion of this Court, such observations are unnecessary since it falls beyond the scope of writ petition filed by the first respondent to register sale deed by following the procedures under Registration Act. That apart, CBI investigation can be ordered only in exceptional circumstances and the Courts have repeatedly held that it must be considered in most deserving case and in the present case, the Writ Court issued direction to the CBI, which is unwarranted, that too, on the basis of mere suspicion. Such suspicion would be insufficient to order for an investigation by CBI. Thus, the observation made in paragraph



No.10 and the direction issued to the CBI in paragraph No.11 of the impugned writ order alone stand quashed. In respect of allowing of the Writ Petition, by quashing the refusal check slip dated 16.12.2023 stands confirmed.

4. It is brought to the notice of this Court that the sale deed presented by the first respondent had already been registered by the Sub Registrar.

5. With the above observations, the Writ Appeal stands allowed in part. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

(S.M.SUBRAMANIAM J.) (MOHAMMED SHAFFIQ J.)
25-10-2025

ASI

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No



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