

W.P.No.39962 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Dated : 07.01.2025

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THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.39962 of 2024

R.Siva

.... Petitioner

Vs

1. The District Registrar,
Chengalpattu,
Chengalpattu District.

2. The Sub Registrar,
Thiruporur Sub Registrar Office,
Thiruporur, Chengalpattu District.

.... Respondents

Prayer: Writ Petition is filed under Article 226 to issue a Writ of Mandamus directing the 2nd respondent to accept the sale deed for registration, which is to be presented by the petitioner, with respect to the property bearing Survey No.127/4, totally to an extent of 21 cents of land, situated at No.45, Thiruvidanthai Village, Thiruporur Taluk, Chengalpattu District and register the same within the time limit to be fixed by this Court.

For Petitioner : Mr.M.Vijaya Ragavan

For Respondents : Mr.Shahjahan

Special Government Pleader

ORDER



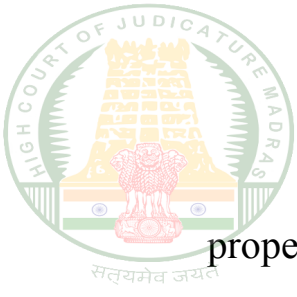
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Seeking a writ of mandamus directing the second

respondent to accept the sale deed for registration, the petitioner is before this Court. The facts of the case are briefly set out herein below.

2. The petitioner would submit that when a sale deed was executed in favour of the petitioner by Durai and five others in respect of an extent of 21 cents of land in survey No.127/4, situated at No.45, Thiruvидanthai Village, Thiruporur Taluk, Chengalpattu District, the second respondent orally refused to entertain the request for registration, stating that the land in question is classified as Grama Natham and therefore, cannot be registered. Aggrieved by the same, the petitioner is before this Court.

3. Perused the affidavit filed in support of the writ petition and also the documents. The documents would reveal that earlier in respect of the very same property, sale deeds have been executed without any objection. The petitioner herein has also stated that, he had earlier entered into a sale agreement for the same



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property with the said Durai and others.

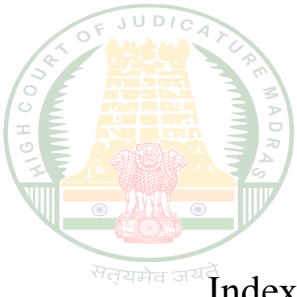
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4. The reason for refusal is that the property in question is classified as Grama Natham. However, the very nomenclature indicates that the property is a house site and there is no legal impediment to the registration of Grama Natham. The fact that earlier sale deeds in respect of the Grama Natham have been registered also clarifies the same. The Registering Authority can refuse registration only if the property falls within the purview of Section 22A of the Registration Act as inserted by the Tamil Nadu Act, which is not applicable in this instance.

5. Therefore, the oral refusal is absolutely unjustified and a mandamus is issued to the second respondent to register the sale deed within a period of two (2) weeks from the date of its re-presentation.

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

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Index : Yes/No
Internet : Yes/No
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To

1. The District Registrar,
Chengalpattu,
Chengalpattu District.

2. The Sub Registrar,
Thiruporur Sub Registrar Office,
Thiruporur, Chengalpattu District.

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