



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-11-2025

CORAM

THE HONOURABLE MR JUSTICE KRISHNAN RAMASAMY

WP No. 40300 of 2025

Senthilkumar,
S/o.Thangaraj, Appanallikompai,
Mittareddihalli(vill), Laligam,
Dharmapuri District.

Petitioner(s)

Vs

The Sub Registrar,
Sub Registrar Office (West),
Dharmapuri, Dharmapuri District.

Respondent(s)

PRAYER:-Writ Petition filed under Article 226 of the Constitution of India, praying for an issuance of Writ of Certiorarified Mandamus, to call for the records relating to the order made in Refusal check slip vide refusal No.RFL/Dharmapuri west/109/2025 dated 23.09.2025 issued by the respondent quash the same and consequently direct the respondent to register the sale deed



presented for registration dated 23.09.2025 and release the same within the time limit stipulated by this Court.

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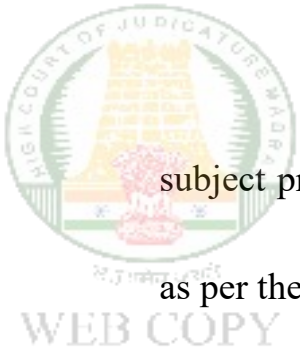
For Petitioner(s): Mr.P.M.Jayachandran

For Respondent: Mr.U.Baranidharan
Special Government Pleader

ORDER

This writ petition has been filed by the petitioner seeking to call for the records relating to the order made in Refusal check slip vide refusal No.RFL/Dharmapuri west/109/2025 dated 23.09.2025 issued by the respondent and to quash the same and consequently direct the respondent to register the sale deed presented for registration dated 23.09.2025 and release the same.

2.Learned counsel for the petitioner would submit that the petitioner purchased the property to an extent of 1500 sq.ft as vacant land in Survey No.77/1A1B 1A1B from one R.Kandan by virtue of sale deed dated 23.09.2025. When the sale deed was presented before the respondent for registration, it was was rejected vide refusal check slip dated 23.09.2025, on the ground that the



subject property was not registered as a plot before the cut off date 20.10.2016 as per the GO Ms No.123, which is in violation of Section 22 (A) and 22 (A) (2) of the Registration Act and the respondent advised to resubmit the same after obtaining approval from the concerned Department.

3.He would further submit that, in the present case, originally the subject property was acquired by one Subramani vide partition deed dated 06.09.2010 in Document No.3793/2010 to an extent of 2900 sq.ft. Out of such 2900 sq.ft, the said Subramani sold a portion of land to an extent of 1500 sq.ft., to one Nagarajan through the registered sale deed dated 12.09.2022 in Document No.5203/2022. Thereafter, the said Nagarajan executed a sale deed vide Document No.3964/2024 dated 01.07.2024 to one Kandan. From the said Kandan, the petitioner intend to purchase the subject property and presented the sale deed for registration, which was rejected by the respondent on the ground the approval has to be obtained from the concerned Department. However, the subject property was already divided as a vacant plot before the passing of GO Ms No.123 dated 20.10.2016 and it was previously registered as a vacant plot



by the respondent on 12.09.2022 and 01.07.2024. Since the property was originally acquired through partition and was sub-divided before the cut off date, the bar under Section 22(A) and 22(A)(2) of the Registration Act, will not come into picture.

4.Learned Special Government Pleader appearing for the respondent would submit that, in the present case, the sale deed dated 23.09.2025 presented by the petitioner was rejected for the reason that there is a bar under Section 22(A) and 22(A)(2) of the Registration Act to register the un-approved plots and the impugned order came to be passed. In the event, if the property was acquired through partition deed and the same was sold as a layout forming roads and streets, the bar under Section 22(A) and 22(A)(2) of the Registration Act, will not come into picture.

5.Heard the learned counsel for the petitioner as well as the learned Special Government Pleader appearing for the respondent and perused the materials available on record.



6. Considering the submissions made by either parties, it is evident that the petitioner executed a sale deed to purchase a vacant land measuring to an extent of 1500 sq.ft from his vendor one Kandan and presented for registration. However, the same was rejected vide refusal check slip dated 23.09.2025 on the ground that there is a bar under Section 22(A) and 22(A)(2) of the Registration Act to register the un-approved plots. In the present case, originally the property was acquired through partition by one Subramani to an extent of 2900 sq.ft. Out of 2900 sq.ft, the said Subramani sold a portion of land to an extent of 1500 sq.ft to one Nagarajan in the year 2022. From the said Nagarajan, the petitioner's vendor one Kandan purchased the subject property in the year 2024.

7. Thus, the subject property was originally acquired through partition and it was sub-divided as a vacant plot before the passing of G.O.Ms.No.123 dated 20.10.2016 and it was also registered by the respondent as a vacant plot in the year 2022 and 2024. Therefore, now the question of forming new roads and streets will not come into picture since it was already sub-divided and registered as a vacant plot. Therefore, this Court does not find any impediment for the



respondent to register the subject plot since the bar under Section 22(A) and 22(A)(2) of the Registration Act will not attract the present case in hand and finds fault in the decision making process of the respondent in passing the impugned order. Hence, the impugned order of refusal is liable to be set aside.

8. Accordingly, the impugned order dated 23.09.2025 is hereby set aside.

While setting aside the impugned order, this Court directs the respondent to register the sale deed dated 23.09.2025 executed in favour of the petitioner by one Kandan, immediately upon the re-presentation of the same.

9. With the above direction, this writ petition is disposed of. No costs.

05-11-2025

rst

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



WP No.40300 of 2025



To

The Sub Registrar,

Sub Registrar Office(west) dharmapuri

Dharmapuri District.



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KRISHNAN RAMASAMY J.

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