



W.P.No.40202 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.10.2025

Coram

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.P.No.40202 of 2025

D.Nagarajan

...Petitioner

Vs.

1. The District Registrar,
District Register Office,
Dharmapuri District.

2.The Sub Registrar
Sub-Registrar Office,
Dharmapuri West,
Dharmapuri District.

...Respondents

Prayer:Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 2nd Respondent to receive the petitioner's Settlement Deed dated 07.10.2025 and thereby register the same.



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For Petitioner : Ms.S.Manisha

For Respondents : Mr. U.Baranidharan
Special Government Pleader

ORDER

Mr.U.Baranidharan learned Special Government Pleader takes notice on behalf of the respondents.

2. This Writ Petition has been filed seeking a direction to the 2nd Respondent to receive the petitioner's Settlement Deed dated 07.10.2025 and thereby register the same.

3. The learned counsel for the petitioner would submit that the subject property belongs to the petitioner and he is in absolute possession and enjoyment of the same without any hindrance and the necessary patta was also issued in favour of the petitioner. While so, the petitioner intended to settle the subject property in favour of his son, for which, he executed a Settlement Deed dated 06.10.2025. When the same was presented before the 2nd respondent, the said Authority refused to receive and register the same by orally stating that DTCP Approval has to be produced with respect to the said property. Hence, this petition.



4. The learned Special Government Pleader appearing for the respondents would submit that in the present case it appears that 2nd respondent orally refused to receive the Settlement Deed. Since no refusal slip is issued, the petitioner may be directed to present the Settlement Deed before the 2nd respondent, so as to enable the 2nd respondent to scrutinize the Deed to be presented and take a decision in accordance with law in respect of registration of the Settlement Deed. Hence, he prays for appropriate orders.

5. Heard both sides. Perused the records.

6. In the present case, the document which the petitioner intended to register is nothing but a Settlement Deed executed by him to the extent of 4710sq.ft. of the subject property in favour of his son. But when the same was presented before the 2nd respondent for registration, the said Authority orally refused to receive the same with an instruction to the petitioner to produce the DTCP Approval with respect to the subject property. It would be apposite to refer to Section 22-A(2) of the



Registration Act, 1908 (in short 'the Act'), which empowers the Registering Authority to refuse and register certain documents. For the sake of convenience, the said Section is extracted hereunder:

“22-A(2) Instrument relating to the transfer of ownership of lands converted as house sites without the permission for development of such land from planning authority concerned:

Provided that the house sites without such permission may be registered if it is shown that the same house site has been previously registered as house site. “

7. A perusal of the aforesaid provision would make it clear that the Registering Authority can refuse to register the document, in case of transfer of ownership of lands converted as house sites, without the permission for development of such land from planning authority. But, in the case on hand, the document which is sought to be registered is only the Settlement Deed. The aforesaid provision cannot be solely relied upon for refusal of registration of the documents for the reason that the petitioner herein intends to settle his property in favour of his son and therefore, the question of transfer of ownership of his land and conversion of the same into house sites does not arise.



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8. In such view of the matter, this Court is of the view that there is no impediment for the 2nd respondent to register the Settlement Deed and is inclined to direct the 2nd respondent to receive and register the Settlement Deed.

9. Accordingly, the 2nd respondent is directed to receive the Settlement Deed dated 07.10.2025, upon re-presentation of the same by the petitioner and register the same, without any delay, if it is otherwise in order,

10. With the aforesaid directions, this writ petition is disposed of. No costs.

27.10.2025

Speaking order / Non-Speaking order

Index : Yes / No

Neutral Citation : Yes / No

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To
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District Register Office,
Dharmapuri District.

2. The Sub Registrar
Sub-Registrar Office,
Dharmapuri West,
Dharmapuri District.



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KRISHNAN RAMASAMY, J.,

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