



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 18.11.2025

CORAM

THE HON'BLE Mr. JUSTICE KRISHNAN RAMASAMY

W.P.No.42623 of 2025

A.James Devarajan

... Petitioner

Vs.

The Joint Sub-Registrar,
Ranipet,
Ranipet District.

... Respondent

Prayer:

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for entire records in pursuant to the refusal check slip No.RFL/1/Joint Sub-Registrar Ranipet/34/2025 dated 20.08.2025 issued by the respondent and quash the same along with a consequential direction to the respondent to register the settlement deed dated 18.06.2025 presented to

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the respondent for registration by the petitioner.

For Petitioner : Mr.T.P.Prabakaran

For Respondent : Mr.P.Harish,
Government Advocate

ORDER

The relief sought for in this writ petition is to call for entire records in pursuant to the refusal check slip No.RFL/1/Joint Sub-Registrar Ranipet/34/2025 dated 20.08.2025 issued by the respondent and quash the same along with a consequential direction to the respondent to register the settlement deed dated 18.06.2025 presented to the respondent for registration by the petitioner.

2. The case of the petitioner is that the petitioner decided to execute a settlement deed in favour of his wife in pursuant to the property comprised in S.No.211/1C1A, having extent of 0.26 acres.



Accordingly, a settlement deed was executed and the same was presented before the respondent for registration. However, the respondent refused to register the same by issuing a refusal check slip dated 20.08.2025 citing the reason that there is a statutory bar under Section 22A(2) of the Registration Act, 1908.

3. Learned counsel for the petitioner submitted that in the present case, the petitioner is intend to settle the property in favour of his wife alone and he is not selling the property. However, he fairly submits that in the present case, the property comes within the unapproved layout prior to the cut off date i.e., 20.10.2016. Being the layout promotor, the petitioner sold few plots and left few plots, unsold and moreover, no approval has been obtained.

4. Per contra, learned Government Advocate appearing for the



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respondent submitted that the petitioner is a layout promotor and formed an unapproved layout. Already, he has sold few plots and left few plots, unsold and now, he is intend to settle the unsold plots in favour of his wife. Since the said unsold plots coming under the layout, there is a clear bar under Section 22A(2) of the Registration Act, 1908 to transfer any of the property, without the approval of planning authority. Therefore, he would submit that due to the said bar, the respondent is not in a position to register the settlement deed dated 18.06.2025.

5. Heard the learned counsel on either side and perused the materials available on record.

6. In the present case, the petitioner is a layout promotor and admittedly, the subject property would falls within the layout area and



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the said plots are unsold plots. Therefore, the petitioner is intend to settle the unsold plots in favour of his wife, without getting an approval from the authorities concerned. According to the petitioner, he is settling the property in favour of his wife and not selling the property. In the event of sale only, bar under Section 22A(2) of the Registration Act would apply. At this juncture, it is pertinent to extract Section 22A(2) of the Registration Act and the same reads as follows:

“22-A. Refusal to register certain documents.-

(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. The reading of the above would shows that any transfer of properties, after forming the layout, necessarily, they have to get the approval from the concerned authorities. In the present case, the layout



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was formed and no approval was obtained. Even for the purpose of transfer of property in any manner, including the sale, mortgage, release or settlement, necessarily, the petitioner is required to get the approval from the concerned authorities. Without getting any approval, there is a clear bar under Section 22A(2) of the Registration Act, 1908. considering all these aspects, the respondent has refused to entertain the settlement deed for registration and I do not find any serious default on the decision making process on the part of the respondent and this writ petition is liable to be dismissed on the ground of devoid of merits.

Accordingly, this writ petition stands dismissed and it is open to the parties concerned to re-present the settlement deed for registration, after getting the approval from the authorities concerned, in accordance with law. No costs.

18.11.2025



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Speaking/Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

KRISHNAN RAMASAMY.J,

vm

To

The Joint Sub-Registrar,
Ranipet,
Ranipet District.

W.P.No.42623 of 2025

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