



W.P(MD)No.145 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.07.2025

WEB COPY

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.145 of 2025

Hajee Fathima

...Petitioner

Vs.

The Sub Registrar,
Kadayam Sub Registrar Office,
Tenkasi District.

...Respondent

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to impugned Refusal Check Slip in Refusal Number RFL/ Kadayam/ 87/2024, dated 26.12.2024, was issued by the respondent and to quash the same as illegal and consequently, to direct the respondent to register the petitioner's settlement deed, dated 26.12.2024, in respect of the property of the land in Sy.No. 391 (New Sy.No. 391/2A1) to the extent of 10 cents at Southern side portion situated at Keelakadayam Village (Part II), Kadayam Sub Registration Circle, Cheranmahadevi Registration District, Tirunelveli District, within a stipulated period as framed by this Court.

For Petitioner : Mr.A.Sankararamasubramanian

For Respondent : Mr.S.Saji Bino
Special Government Pleader

ORDER

The present Writ Petition has been filed for the issuance of a Writ of Certiorarified Mandamus, to quash the impugned refusal check slip in Refusal



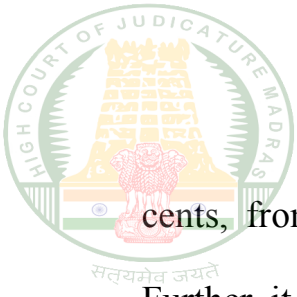
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Number RFL/ Kadayam/ 87/2024, dated 26.12.2024, was issued by the respondent and consequently, to direct the respondent to register the petitioner's settlement deed, dated 26.12.2024, within a stipulated period as framed by this Court.

2.Through the impugned order, the respondent has refused to register the sale deed stating that DTCP approval was not obtained, which is against Section 22A(2).

3.The brief facts are that the petitioner has purchased 22 cents of property from the legal heirs of Chellaperumal Pillai. Now, the petitioner is intended to execute a settlement deed for 10 cents in the name of her husband. The respondent refused to register the settlement deed stating that DTCP approval has not been obtained.

4.It is seen that the petitioner has not purchased the larger extent and formed a layout. Further, the petitioner has not created any new road. Therefore, clause 3 of the Circular No.22482/C1/2022, dated 12.07.2024, is applicable and it is protecting the petitioner's right. Further, it is seen that the Survey No.391 is still used as agriculture land, i.e, the larger extent is still used as agriculture land. The petitioner is not intended to lay out any property. The petitioner has purchased 22



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cents, from which she is settling only 10 cents in the name of her husband.

Further, it is seen that in the year 2019, a portion of the land was sold and already a road is in existence on the western side.

5. Therefore, the objection raised by the respondent is erroneous and total non-application of mind. Therefore, the impugned order is quashed and the respondent is directed to register the settlement deed within a period of 4 weeks from the date of receipt of a copy of this order.

6. With the above observations, this Writ Petition is allowed. There shall be no order as to costs.

09.07.2025

NCC : Yes / No

Index : Yes / No

Internet : Yes

Tmg

To:

The Sub Registrar,
Kadayam Sub Registrar Office,
Tenkasi District.



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S.SRIMATHY, J.

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**ORDER MADE IN
W.P(MD)No.145 of 2025**

DATED : 09.07.2025