



W.P.(MD)No.3593 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 24.02.2025

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THE HONOURABLE MR.JUSTICE V. LAKSHMINARAYANAN

W.P.(MD) No.3593 of 2025

P.Rani

... Petitioner

VS.

1.The Inspector General of Registration,
Registration Department,
Santhome High Road,
Raja Annamalaipuram,
Chennai 600 009.

2.The District Registrar (Administration),
District Registrar Office,
Collector Office Campus,
Kokkirakulam,
Palayamkottai, Tirunelveli District.

3.The Sub Registrar,
Office of the Sub Registrar,
Panagudi,
Tirunelveli District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned Refusal Check Slip under RFL/Panagudi/61/2024, dated 17.12.2024 issued by the third respondent



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and quash the same and pass suitable orders to the third respondent to register the Sale Deed dated 17.12.2024 in the name of the petitioner, in respect of the agricultural lands to an extent of 4.87 cents comprised in Survey No. 675/6D, Levinjipuram Village, Radhapuram Taluk, Tirunelveli District within a time frame as may be fixed by this Court.

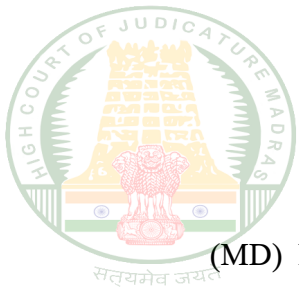
For Petitioner :Mr.G.Aravinthan

For Respondents :Mr.P.T.Thiraviam
Government Advocate

ORDER

The petitioner seeks for a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned refusal check slip issued in RFL/Panagudi/61/2024, dated 17.12.2024 by the third respondent and quash the same and pass suitable orders to the third respondent to register the Sale Deed dated 17.12.2024 in the name of the petitioner, in respect of the agricultural lands to an extent of 4.87 cents comprised in Survey No. 675/6D, Levinjipuram Village, Radhapuram Taluk, Tirunelveli District within a time frame as may be fixed by this Court.

2. The issue raised in this writ petition is squarely covered by the verdict of the Honourable Mr.JUSTICE N.SATHISH KUMAR in W.P.



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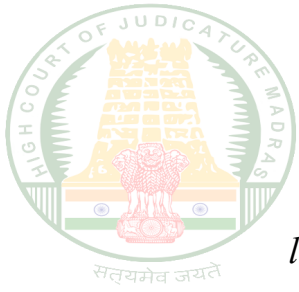
(MD) No.426 of 2022 dated 01.07.2024. After referring to the clarification

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issued by the Commercial Taxes and Registration Department, dated

16.03.2020 in letter No. 359/J2/2020, this Court held as follows:-

“17. The clarification issued above would indicate that the bar contained under Section 22-A is only with regard to unapproved lay out which was formed without the permission for development from planning authority concerned and new roads or streets have been laid after the amendment and not in respect of the Unapproved Layout prior to the amendment came into being. Such view of the matter as the layout was formed in 2020 and several plots had already been sold, registration of settlement deed executed by the petitioner for the remaining extent of land retained and held by the petitioner in favour of his son cannot be refused. As already held such land can be used for any purposes other than housing development. Even any one of the adjacent land owners may wish to purchase such land for the purpose of using it as vacant land or for any other purpose other than housing development. Therefore, transfer of such land cannot be said to be totally prohibited, if transfer of such land is totally prohibited, it would certainly violate the constitutional right guaranteed under Article 300-A of the Constitution of India. The very object of introducing Section 22-A by way of Tamil Nadu Act is only to restrict conversion of agricultural



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land or any other land as unapproved house sites without the permission for development of such land from planning authority concerned. Therefore, bar contained under Section 22-A cannot be applied in a mechanical fashion and registration cannot be refused and restraining the owner of such land from using the land for any other purposes other than housing development.”

3. Since the verdict of the learned Judge is clear and categorical, I merely have to apply the said judgment to the facts of the present case. The Writ Petition stands allowed and the impugned refusal check slip issued in RFL/Panagudi/61/2024, dated 17.12.2024 by the third respondent is quashed. There shall be a direction to the Department to register the document. However, there shall be no order as to costs.

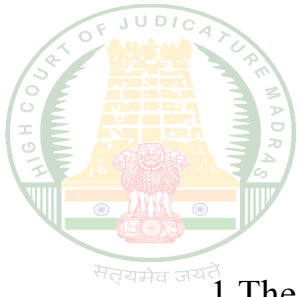
Index :Yes / No
Internet :Yes / No
NCC :Yes / No

24.02.2025

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To

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V. LAKSHMINARAYANAN, J.

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