



W.P (MD).No.1085 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.01.2025

CORAM

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P (MD).No.1085 of 2025

S.M.Mohamed Ishauk

...Petitioner

Vs.

The Sub-Registrar,
Registration Department,
Melur,
Madurai District.

...Respondent

Prayer: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the respondent to register the sale deed dated 12.12.2024 vide No.TP/203880820/2024 in respect of the petitioner's Agriculture Land about an extent of 10 cents (0.4.05 Ares) comprised in Survey No.268/14A3 situated at Surakkundu Village, Melur Taluk, Madurai District without insisting the petitioner to produce the Plan Approval of the said land and for other reliefs.

For Petitioner : Mr.J.Lawrance

For Respondent : Mr.S.P.Maharajan
Special Government Pleader



W.P (MD).No.1085 of 2025

ORDER

WEB COPY

This writ petition has been filed for a direction directing the respondent to register the sale deed, dated 12.12.2024 in respect of the property comprised in Survey No.268/14A3 to an extent of 10 cents situated at Surakkundu Village, Melur Taluk, Madurai District.

2. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3. The petitioner had purchased the property comprised in Survey No. 268/14A3 to an extent of 10 cents situated at Surakkundu Village, Melur Taluk, Madurai District by the registered sale deed dated 15.02.2024 vide document No.571 of 2024. In turn, he intended to sell the same in favour of the third party and executed the sale deed on 12.12.2024. The said sale deed was presented for registration, however, it was not registered by the respondent on the ground that there is a bar under Section 22-A of the Registration Act.

4. The learned Special Government Pleader appearing for the respondent, on instructions, would submit that the earlier sale deed, which was executed in favour of the petitioner, got registered vide document No.571 of



W.P (MD).No.1085 of 2025

2024 and now the respondent refused to register the same on the ground that there is a bar under Section 22-A(2) of the Registration Act since its extent is only 10 cents, therefore, it requires the regularisation.

5. Therefore, the sale deed, which was executed by the petitioner dated 12.12.2024 in favour of the third party in pursuant to the sale deed of the petitioner, dated 15.02.2024 vide Document No.571 of 2024, cannot be registered and the direction sought for by the petitioner cannot be granted and hence, the writ petition is devoid of merits and it is liable to be dismissed.

6. Accordingly, the writ petition is dismissed with liberty to the petitioner to represent the sale deed for registration after getting regularisation of the subject property. No costs.

Internet : Yes
Index : Yes/No
Speaking/Non Speaking order
am

10.01.2025

To

The Sub-Registrar,
Registration Department,
Melur,
Madurai District.



WEB COPY



W.P (MD).No.1085 of 2025

G.K.ILANTHIRAIYAN, J.

am

W.P (MD).No.1085 of 2025

10.01.2025