



W.P.(MD)No.2175 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **23.01.2025**

CORAM:

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

W.P.(MD)No.2175 of 2025

and

W.M.P(MD)No.1558 of 2025

K.Venkatesh

... Petitioner

/Vs./

1.The Inspector General of Registration,
Santhome High Road,
Chennai.

2.The District Registrar (Administration),
Registration Department,
171, Aranmanai Salai,
Madurai-625 001.

3.The Sub-Registrar,
Sub-Registrar Office,
Samanatham,
Madurai District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the Check Slips issued by the third respondent in Refusal No.6/2024 dated 19.12.2024 and quash the same as illegal and



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consequently direct the third respondent to take on file the documents presented by the petitioner on 19.11.2024 numbered as P.48/2024 and register the same and return the documents after registration within a time stipulated by this Court.

For Petitioner : Mr.AK.Amaravel Pandiyan
For Respondents : Mr.M.Sarangan
Additional Government Pleader

ORDER

This writ petition has been filed challenging the refusal check slip issued by the third respondent dated 19.12.2024 thereby refused to register the sale deed which was presented for registration by the petitioner.

2. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself. Heard the learned counsel on either side and perused the materials placed before this Court.

3. The petitioner owned land comprised in R.S.No.69/3C situated at Viraganur Village, Madurai South Taluk, Madurai District and the same was purchased by the registered sale deed dated 15.12.2017 vide



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document No.7272/2017. After purchase, he was issued with patta in Patta No.1620 in R.S.No.69/4A. Now the petitioner intended to purchase 3.05 cents out of 26 cents and presented the same for registration on 19.11.2024. However, the third respondent refused to register the same on the ground that there is a bar under Section 22-A of the Registration Act.

4. It is seen that the petitioner has purchased 3.05 cents out of 26 cents. On perusal of the FMB sketch revealed that the subject land is situated back side of the petitioner's land. Though the petitioner has now purchased 3.05 cents out of 26 cents it has not formed any new road. Further, the remaining land out of 26 cents is intact and it has not been converted into house plots. Therefore, the third respondent ought not to have refused to register the sale deeds since it would not attract the provision under Section 22-A of the Registration Act.

5. In view of the above, this Court finds infirmity in the order passed by the third respondent, dated 19.12.2024 and it cannot be sustained and liable to be quashed.



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6. Accordingly, the order of the third respondent dated 19.12.2024 is quashed and the writ petition is allowed. The petitioner is directed to represent the sale deed for registration and on receipt of the same, the third respondent is directed to register the sale deed and release the document forthwith, if it is otherwise in order. It is made clear that the petitioner's vendor cannot use this order to convert the remaining land into house plots. No costs. Consequently, connected miscellaneous petition is closed.

28.01.2025

Index : Yes / No
NCC : Yes / No
am



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TO:-

- 1.The Inspector General of Registration,
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G.K.ILANTHIRAIYAN, J.

am

Order made in
W.P.(MD)No.2175 of 2025

Dated:
28.01.2025