



W.P.(MD)No.3327 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 27.03.2025

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THE HONOURABLE MR.JUSTICE **V. LAKSHMINARAYANAN**

W.P.(MD)No.3327 of 2025 and  
W.M.P.(MD)No.2334 of 2025

A.Fathima Begum

... Petitioner

vs.

1.The District Registrar,  
Madurai, Madurai District.

2.The Sub Registrar,  
Melur West Sub Register Office,  
Madurai 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 Number in RFL/Melur(west)/36/2024 dated 17.12.2024 on the file of the respondent No.2 and to quash the same, as illegal and consequently, to direct the respondent No.2 to register the document for the petitioner's land in S.No.146 to an extent of 14.25 cents situated at Melur Town, Melur Taluk Madurai District without insisting the plan approval from the authorities concerned within the time frame stipulated by this Court.



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For Petitioner :Mr.M.Mahaboob Fazil  
for M/s.Roy and Roy Associates  
For Respondents :Mr.N.Ramesh Arumugam  
Government Advocate

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### **ORDER**

The Writ Petitioner challenges the order of the second respondent, dated 17.12.2024 with a consequential direction to the second respondent register to the document for the petitioner's land in S.No.146 to an extent of 14.25 cents situated at Melur Town, Melur Taluk, Madurai District without insisting the plan approval from the authorities concerned within the time frame stipulated by this Court.

2.The petitioner claims that she is the owner of the property situated in S.No.146 of Melur Town and Taluk, Madurai District. She had obtained the same by virtue of a settlement deed in Doc.No. 5657/2019. Subsequently, she had alienated several portions of the property in favour of third parties. The land, which is the subject matter of the Writ Petition, was attempted to be sold by her in favour of one Anthonysamy. The extent of alienation is 14.25 cents. When she presented the document for registration, the impugned order came to be passed by the respondent stating that the document attracts the provisions of Section 22-A of the Registration Act. The



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respondent issued the impugned refusal check slip, which is challenged by way of this Writ Petition.

3.When the matter came up for admission, Mr.N.Ramesh Arumugam learned Government Advocate took notice on behalf of the respondents.

4.The petitioner also attempted to obtain approval for the plot from the Block Development Officer, which failed. Thereafter, Mr.M.Mahaboob Fazil stated that the alienation of the property is only as an agricultural land and invited my attention to the sale deed executed by the petitioner in favour of Anthonysamy.

5.A perusal of the sale deed points out that the alienation is of nanja land and therefore, it has to be treated as an agricultural land.

6.Mr.N.Ramesh Arumugam pleads that as the petitioner has parcelled out various extents of lands in the 68 cents allotted to her, her attempt is only to convert the agricultural property into an unauthorised layout. He relies upon Section 22-A(2) of the Registration Act to substantiate his plea.



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7.I have carefully considered the submissions on both sides. I

WEB COPY have gone through the records.

8.A perusal of the sale deed, dated 17.12.2024 executed by the petitioner in favour of Anthonysamy shows that she is transferring the property only as an agricultural land. She is not converting the property into residential plot and selling it as such. Section 22-A of the Registration Act will be applicable, only if agricultural lands are unauthorisedly converted into housing plots and sold as plots. The said provision will not apply, if agricultural land is sold, as, agricultural land.

9.Apart from that, the petitioner has filed an affidavit of undertaking of herself as well as of the purchaser, Mr.Anthonysamy.

The relevant portion of the affidavit reads as follows:

*“2.That the Vendor and Vendee hereby Jointly undertake that the lands in S.No.146 to an extent of 14.25 cents situated at Melur Town, Melur Taluk, Madurai District presented for registration vide sale deed dated 17.12.2024 before the Sub Registrar, Melur West Sub registrar is going to be dealt with only as a Nanja land and it is made it clear that the property is ot going to be developed as piece of real estate. The Vendee accepts and agrees to purchase the said property in its original form as an Agricultural Land.*

*3.The Vendor and Vendee further jointly undertake that as and when any steps are taken in future to convert the said lands into plots, the same will be done only after getting necessary permission on payment of necessary charges as may*



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*be determined by the Authorities concerned.”*

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10.A perusal of the affidavit of undertaking shows that the petitioner is going to sell the land, as agricultural land, and the purchaser is also going to receive the same, as agricultural land, and maintain it as such.

11.In the light of the above discussion, the Writ Petition is allowed. The impugned order, dated 17.12.2024 is quashed. There shall be a direction to the second respondent to register the sale deed presented by the petitioner in favour of Anthonysamy, if it is otherwise in order, within a period of two weeks from the date of uploading of this order. No costs. Consequently, connected miscellaneous petition is closed.

11.Call for the matter on 17.04.2025 for compliance.

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

**27.03.2025**

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To

- 1.The District Registrar,  
Madurai, Madurai District.
- 2.The Sub Registrar,  
Melur West Sub Register Office,  
Madrurai District.



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**V. LAKSHMINARAYANAN, J.**

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