



**W.P(MD)No.4497 of 2025**

**WEB COPY** BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.04.2025

CORAM

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

**W.P(MD)No.4497 of 2025**

P.Vijayabaskaran,  
Through his Power Agent,  
R.Karunaisamy.

... Petitioner

Vs.

1.The District Registrar,  
Office of the District Registrar,  
Madurai North Regd. District,  
Madurai.

2.The Sub Registrar,  
Vilangudi Sub Registrar Office,  
Madurai North,  
Madurai.

... Respondents

**Prayer** : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records relates to the Document in P93/2024, dated 26.11.2024 on the file of the second respondent and quash the same and consequently direct the second respondents to release the petitioner's sale deed, dated 08.11.2024 before of the office of the second respondent and to pass such further orders as this Court.

For Petitioner : Mr.N.S.Karthikeyan



**W.P(MD)No.4497 of 2025**

WEB COPY

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

**ORDER**

The present writ petition has been filed to call for the records relates to the Document in P93/2024, dated 26.11.2024 on the file of the second respondent and quash the same and consequently direct the second respondent to release the petitioner's sale deed, dated 08.11.2024.

**2.** The petitioner states that an extent of 9 acres and 32 cents situated at Paravai II Bit Village, Vilangudi Sub Registrar, Madurai North, Madurai District, was converted into several housing plots. The layout was regularised by the Local Planning Authority at Madurai through its proceedings in Na.Ka.No.5062/2018/MP.2 in Ma/Va/Ma.U..Thi.Ku.No. 499/2018. The in-principle approval was followed by the Paravai Town Panchayat in its proceedings in Na.Ka.No.66/2019.

**3.** In the said layout, one Vijayakumar purchased the plots bearing plot Nos.7 and 7A. The purchase was made by Vijayakumar on 21.06.2023 in Document No.3272/2023. The petitioner approach the said Vijayakumar



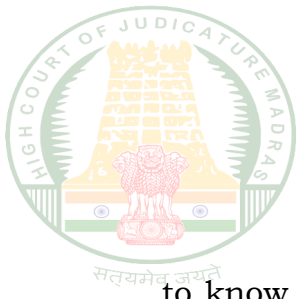
**W.P(MD)No.4497 of 2025**

WEB COPY

for the purpose of purchasing the said property. Thereafter, they presented a sale deed for registration on 21.11.2024.

**4.** The second respondent issued a refusal check slip on the very same day, stating that the Revenue Divisional Officer, Madurai had informed the Sub Registrar not to register any documents in and over the survey numbers. The petitioner clarified the situation with the second respondent. The second respondent was convinced and received the document. However, the document was not registered but was given pending number in P93/2024. When the petitioner sought return of the document, the second respondent refused. Hence, this writ petition.

**5.** When the matter came up for admission, Mr.P.T.Thiraviyam took notice on behalf of the respondents and sought time to get instructions. He has produced the instructions of the second respondent in Na.Ka.No. 65/2025, dated 20.02.2025. Based on the instructions, Mr.P.T.Thiraviyam argues that large extents of land, covering the properties in the present writ petition, were purchased by one M/s.Meenakshi Mills. They had approached the Government of Tamil Nadu seeking exemption from the land Reforms Act, 1961. Exemptions had also been granted. Subsequently, without authorisation of the Government, the properties were alienated. On coming



**W.P(MD)No.4497 of 2025**

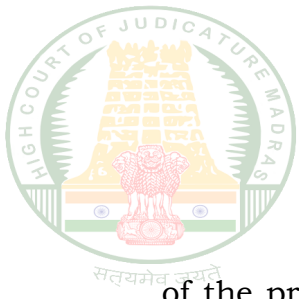
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to know of this, the Revenue Divisional Officer, Madurai had recommended to the District Collector to resume the lands invoking the Land Reforms Act of 1961. As the Revenue Divisional Officer had recommended cancellation of the exemption, to the District Collector, he informed the Sub Registrar not to register the documents. Hence, Mr.P.T.Thiraviyam states that the petitioner is not entitled for the return of documents. He also relies upon Rule 162(xviii) of the Registration Act to this point.

**6.** In reply, Mr.N.S.Karthikeyan states that the recommendation made by the Revenue Divisional Officer has been kept in abeyance by an order of this Court in W.M.P(MD)No.8052 of 2025 in W.P(MD)No.10795 of 2025 [**Justice P.B.Balaji**], dated 17.04.2025.

**7.** I have carefully considered the arguments of both sides. I have gone through the records.

**8.** The Registration Act and the Rules made thereunder enable the respondents to refuse registration only under certain circumstances. These are substantially found under Section 22A and 22B and under Rule 162 of the Registration Rules. Unless and until, a document is captured by any one



**W.P(MD)No.4497 of 2025**

WEB COPY

of the provisions, it is not open to the respondents to refuse registration or refuse to return the documents.

**9.** Turning to Rule 162 (xviii), the corresponding provision is Section 10 of the Tamil Nadu Land Reforms [Fixation of Ceiling on Land] Act, 1961. This provision applies when a declaration of transfer is not filed by the owner of property in terms of that act. This provision does not cover exemptions that have been granted under Section 37A of the said registration. For the mere fact, the Land Reforms Act is referred to under Rule 162(xviii) does not mean, it will cover all kinds of situations which arise under that Act. The power to refuse registration is confined only to those covered under Section 10 and not those covered under Section 37A or violations thereof. Hence, the first submission of Mr.P.T.Thiraviyam deserves rejection and accordingly, it is rejected.

**10.** The Act and Rules do not contemplate the Revenue Officer to write letters and injunct the Sub Registrar from performing his statutory duties. The Revenue Department does not have any such powers. In fact, such kind of orders restraining the Sub Registrars by way of letters addressed to them was adopted by members of the police Department. This Court on more than one occasion has held unless and unless the Act specifically empowers the



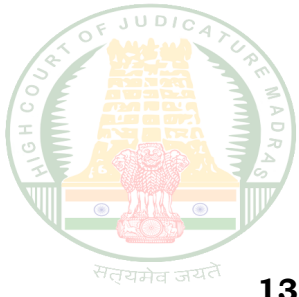
W.P(MD)No.4497 of 2025

WEB COPY

authority to pass such an order under the Act, the Sub Registrar ought not to act merely on the basis of such letters. A Reference on this point is ***Madhupriya Vs. Inspector General of Registration, 2020 SCC Online Madras 20112***. I only have to draw a similarity between a letter addressed by the police officials and a letter addressed by an official of the Revenue Department. Both are interdepartmental communications and will not bind a citizen.

**11.** The power to alienate property is a concomitant right referable to Article 300A of the Constitution of India, which has given the right to property the status of a constitutional right. The said right can be interfered with only in accordance with law. Interdepartmental communication do not fall under the said category.

**12.** In the light of the above discussion, the writ petition succeeds. There shall be a direction to the second respondent to register the document in document No.P93/2024 and return the same to the writ petitioner. The said exercise shall be completed within a period of two (2) weeks from the date of receipt of a copy of this order.



**W.P(MD)No.4497 of 2025**

WEB COPY

**13.** This writ petition is allowed on the above terms. There shall be no order as to costs.

**25.04.2025**

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

To

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Madurai North Regd. District,  
Madurai.
- 2.The Sub Registrar,  
Vilangudi Sub Registrar Office,  
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WEB COPY



W.P(MD)No.4497 of 2025

**V.LAKSHMINARAYANAN, J.**

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**W.P(MD)No.4497 of 2025**

**25.04.2025**