



W.P.(MD)No.4983 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 25.02.2025

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THE HONOURABLE MR.JUSTICE V. LAKSHMINARAYANAN

W.P.(MD)No.4983 of 2025

M.Natrayan

... Petitioner

vs.

The Sub Registrar Joint 2,
Office of Sub Registrar,
Dindigul.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records relating to the impugned refusal check slip passed by the respondent through proceedings in RFL/Sub Registrar Joint 2 Dindigul/6/2025 dated 20.01.2025 and to quash the same and further directing the respondent to register the sale deed of the petitioner.

For Petitioner : Mr.C.M.Mari Chellaiah Prabhu

For Respondent : Mr.R.Suresh Kumar
Additional Government Pleader



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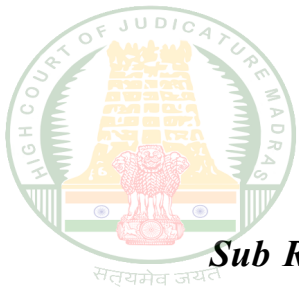
W.P.(MD)No.4983 of 2025

ORDER

The petitioner seeks to quash the proceedings of the respondent in RFL/Sub Registrar Joint 2 Dindigul/6/2025, dated 20.01.2025.

2. The petitioner states that his vendor one Veeraramu was proposing to sell his property situated in S.No.251/1B3 of Sinthalagundu Village, Dindigul West Taluk, Dindigul District. On coming to know of this proposal, the petitioner approached the said Veeraramu and entered into negotiations with him. Pursuant to the negotiations, the petitioner also paid the entire sale consideration to his vendor and purchased the land to an extent of 11 cents in the aforesaid survey number. In this regard, when the petitioner presented the sale deed on 20.01.2025, the same came to be rejected by the impugned order. Hence, the writ petition.

3. The issue raised in the present writ petition is no longer *res-integra*. It has been settled by the judgment of the **Hon'ble Mr.Justice.N.Sathish Kumar** in the case of ***D.Rajamanickam Vs., The***



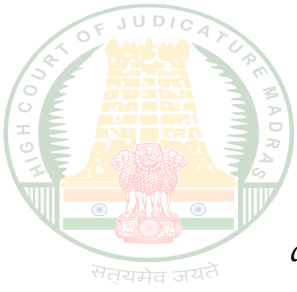
W.P.(MD)No.4983 of 2025

Sub Registrar, Salem (West) in W.P.No.426 of 2022, dated 01.07.2024.

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The learned Judge after referring several authorities and circulars had concluded 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 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



W.P.(MD)No.4983 of 2025

WEB COPY

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.....”

4. Apart from this position, a comparison of the earlier sale deed with the present sale deed shows that the transfer is not of plots to attract Section 22A of the Registration Act. It is only the land, that was under the custody of Mr.Veeraramu as 'Punja land', is being sold to the writ petitioner. It is being alienated as 'Punja land'. As the nature of land is not being changed, Section 22A is not attracted.

5. In the light of the above discussion, this Writ Petition succeeds and the impugned refusal check slip passed by the respondent vide proceedings in RFL/Sub Registrar Joint 2 Dindigul/6/2025, dated 20.01.2025, is set aside.

6. In the result, this Writ Petition is allowed. The respondent shall register the document within two(2) weeks from the date of its presentation by the petitioner. No costs.



W.P.(MD)No.4983 of 2025

7. Post on 12.03.2025 'for reporting compliance'.

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Index :Yes / No
Internet :Yes / No
NCC :Yes / No
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25.02.2025

To
The Sub Registrar Joint 2,
Office of Sub Registrar,
Dindigul.



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W.P.(MD)No.4983 of 2025

V. LAKSHMINARAYANAN, J.

Rmk

W.P.(MD)No.4983 of 2025

25.02.2025