



W.P.(MD)No.5272 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 27.02.2025

CORAM

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

W.P.(MD)No.5272 of 2025

T.T.Ramesh Raja

... Petitioner

vs.

The Joint Sub-Registrar No.I,
Palayamkottai, Tirunelveli District.

... 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 of the impugned refusal check slip in No.RFL/No.1 Joint Sub Registrar Palayamkottai/14/2025 dated 18.02.2025 on the file of the respondent and quash the same and further directing the respondent to receive and register the sale ded dated 18.02.2025 executed in favour of the petitioner.

For Petitioner : Mr.Selva Adithya
for Mr.G.Prabhu Rajadurai
For Respondent : Mr.P.T.Thiraviam
Government Advocate



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ORDER

The property situated at S.No.156/1 of Palayamkottai Village, Tirunelveli District, belongs to one Perumal Ammal. After the death of said Perumal Ammal, her daughter namely Rukmani became the absolute owner of the property. On 11.11.2011, the said Rukmani alienated the property in favour of one Krishnaveni. The petitioner pleads that though the property is situated outskirts of Palayamkottai Town, it was shown as Subramaniapuram in the sale deed executed by Rukmani in favour of Krishnaveni.

2. The petitioner purchased the property from Krishnaveni and in this regard, when he presented the document for registration on 18.02.2025. The respondent refused to register the document on the ground that the guidelines value of the property should be based on its actual situs in Subramaniapuram, rather than being valued as agricultural land by the petitioner. Challenging the same, the present writ petition.



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3. I heard Mr.Selva Adithya representing Mr.G.Prabhu Rajadurai for the petitioner and Mr.P.T.Thiraviam, learned Government Advocate, who takes notice for the respondent.

4. Mr.Selva Adithya argued that he has valued the property as per valuation given in the website of the respondent and therefore, the impugned order is un-sustainable.

5. Mr.P.T.Thiraviam points out that the property is situated within the limits of Palayamkottai Town and it cannot be classified as an 'agricultural land' as sought by the writ petitioner. Hence, he seeks for confirmation of the order and dismissal of the writ petition.

6. I have carefully considered the submissions of both sides and gone through the records.

7. The question of undervaluation of a document would arise after the registration of same. This is clear from Section 47A(1) of the Stamp Act, which states that the registering officer, should he entertain a doubt



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on the market value of the property, he can refer the same under that provision read with the Rules. While registering any instrument of conveyance etc., the Sub-Registrar does not have a jurisdiction to reject the document on the ground that the valuation is improper. The submission of Mr.Selva Adithya and Mr.Thiraviam must be rightly addressed after the document is registered and when the respondent entertains a doubt on its valuation. The impugned order puts the cart before the horse and therefore, it cannot be sustained.

8. In the light of the discussion, the impugned order passed by the respondent in No.RFL/No.1 Joint Sub Registrar Palayamkottai/14/2025 dated 18.02.2025, is hereby quashed. There shall be a direction to the respondent to receive the document and register the same within two weeks from the date of receipt of a copy of this order. If after registering the document, he entertains doubts on its valuation, it is upto him, to follow the requirement of Section 47A (1) of the Stamp Act. All the submissions on the merits of the valuation made by Mr.Selva Adithya can be placed before the Registrar at that stage.



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WEB COPY 9. In result, this Writ Petition is allowed. No costs.

Index :Yes / No

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NCC :Yes / No

Rmk

To

The Joint Sub-Registrar No.I,
Palayamkottai, Tirunelveli District.



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V. LAKSHMINARAYANAN, J.

Rmk

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