



W.P(MD)No.8435 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.03.2025

CORAM

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

Writ Petition(MD)No.8435 of 2025

and

W.M.P(MD)No. 6307 of 2025

M. Muhammed Ismail
S/o Magdoom
No.203C, Thiruvallurvar Street,
Anna Nagar, Thennur – 620 017,
Trichy District,
rep. by his power of attorney
S.Mohamed Yusuf
S/o Shajahan
No.35, 'B' Block, Jaheer Hussain Street,
Anna Nagar, Thennur – 620 017.
Trichy District.

... Petitioner

Vs

The Sub Registrar,
3rd Joint Sub Registrar Office,
Trichy,
Trichy District.

... Respondent

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 relating to the impugned order dated 28.11.2024 in Refusal Number RFL/3rd Joint SRO, Trichy/167/2024 passed by the Respondent and quash the same and thereby direct the respondent to register sale deed dated 28.11.2024 executed the petitioner in favour of Mr.S.Mohamed Ammer Faisal, Son of Shajahan,



W.P(MD)No.8435 of 2025

residing at No.52B, Jaheer Hussain Street, Anna Nagar, Thennur –
620017, Trichy District.

For Petitioner : Mr.B.Rajesh Saravanan,

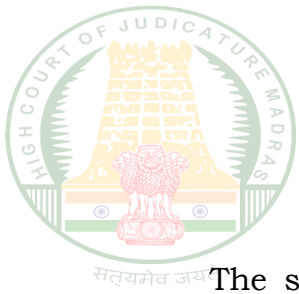
For Respondent : Mr.N.Ramesh Arumugam
Govt. Advocate

ORDER

The petitioner seeks to quash the impugned refusal check slip in Refusal Number RFL/3rd Joint SRO, Trichy/167/2024 dated 28.11.2024 passed by the respondent and to direct the respondent to register the sale deed dated 28.11.2024 executed by the petitioner in favour of Mr.S.Mohamed Ammer Faisal, S/o Shajahan.

2. The petitioner is the power agent of one Muhammed Ismail. The power deed was on 14.03.2023 on the file of the respondent. The subject matter of the writ petition pertains to a portion of the property comprised in S.No.139/7 situated at Kambrasampettai Village, Srirangam Taluk, Trichy District.

3. The petitioner pleads that the said property was originally purchased by one Ibrahim on 01.09.2022. Subsequently, the said Ibrahim executed a gift deed in favour of Syed Jaffar on 27.10.2022.



W.P(MD)No.8435 of 2025

WEB COPY

The said Syed Jaffar gifted the property to his brother Muhammed Ismail. Prior to executing this document, Syed Jaffar obtained regularization for converting the agricultural land into residential plots through a proceedings from the Tiruchirappalli Town Planning Committee. Following this, he approached the Block Development Officer, Anthanallur Panchayat Union, who passed a consequential order on 07.11.2022.

4. The grievance of the petitioner is that, as a power agent, when he attempted to alienate the property in favour of one Mohamed Ameer Faisal, the respondent refused to register the document on the ground that the regularization order passed by the Town Planning Authority had not been produced. On this basis, the impugned order came to be passed on 28.11.2024. Challenging the same, the present writ petition.

5. I heard Mr.B.Rajesh Saravanan, for the petitioner, and Mr.N.Ramesh Arumugam, learned Government Advocate, for the respondent.

6. Mr.N.Ramesh Arumugam states that the Block Development Officer, Anthanallur Panchayat Union, had written to the Sub



W.P(MD)No.8435 of 2025

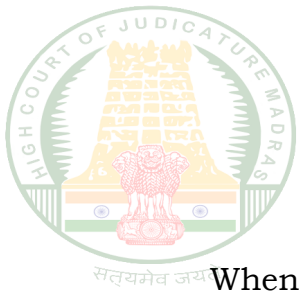
WEB COPY

Registrar in Na.Ka.No.AA4/2310/2024-2 dated 13.12.2024, stating that it had come to his notice that the layouts were being presented in respect to the subject property in Anthanallur Panchayat on the basis of a forged approval letter. Therefore, he had called upon the Sub Registrar to verify the genuineness of the proceedings of the Block Development Officer before proceeding further.

7. As rightly contended by Mr.B.Rajesh Saravana, the impugned order was passed in November 2024, whereas the letter relied upon by Mr.N.Ramesh Arumugam is dated December 2024. The respondent could not have anticipated the proceedings of the Block Development Officer, in order to, reject the document.

8. I have carefully considered the submission of both sides.

9. Here is the case where the petitioner pleads that his predecessor in title had obtained approval from the Directorate of Town and Country Planning as early as 21.08.2018. It is also pointed out that, based on such approval, the vendor had paid a sum of Rs. 21,931/- as development charges and Rs.39,094/- as regularization charges. On the strength of this approval, a gift deed was registered by the predecessor in title, M.Syed Jaffar in Doc. No.5446/2022.



W.P(MD)No.8435 of 2025

WEB COPY

When such regularization is in place, the demand of the Sub Registrar for production of the original approval proceedings prior to registration of the sale deed is unreasonable.

10. As pointed out by Mr.B.Rajesh Saravanan, the originals of the proceedings have gone missing. Therefore, the respondent cannot expect the petitioner to perform an impossible act.

11. The document registered on the basis of the approval is already available with the respondent. In case the respondent wants to verify the genuineness of the approval granted by the Block Development Officer in his proceedings dated 07.11.2022, he is at liberty to do so. However, this does not mean that he can reject the presentation of the document.

12. In the light of the above discussion, the following order is passed:

(i) The impugned order dated 28.11.2024 in Refusal Number RFL/3rd Joint SRO, Trichy/167/2024 passed by the respondent is quashed.

(ii) The respondent shall receive and register the



WEB COPY



W.P(MD)No.8435 of 2025

sale deed executed by the petitioner, as the power agent of Mr.Muhammed Ismail in favour of Mohamd Ameer Faisal.

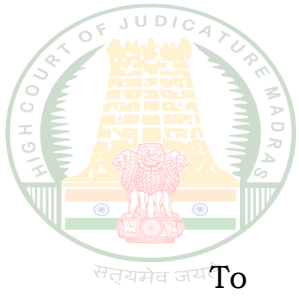
(iii) After registration of the document, the respondent, if he deems it necessary shall verify the genuineness of the proceedings of the Block Development Officer dated 07.11.2022.

(iv) If the respondent is informed by the Block Development Officer of Anthannallur Panchayat that the proceedings are genuine, he shall return the registered document to the writ petitioner.

13. This writ petition is ordered accordingly. No costs. Consequently, connected miscellaneous petition is closed.

27.03.2025

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



W.P(MD)No.8435 of 2025

WEB COPY

To
The Sub Registrar,
3rd Joint Sub Registrar Office,
Trichy,
Trichy District.



WEB COPY



W.P(MD)No.8435 of 2025

V.LAKSHMINARAYANAN, J.

skn

Writ Petition(MD)No.8435 of 2025

27.03.2025