



W.P(MD)No.8513 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :06.08.2025

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.8513 of 2024

and

W.M.P.(MD).No.7755 of 2024

Gopinath

... Petitioner

VS.

1. The District Registrar,
Nagercoil,
Kanniyakumari District.

2. The Sub Registrar,
Sub Registrar Office,
Rajakkamangalam,
Kanniyakumari District.

3. The Thasildhar,
Agasteeswaram Taluk,
Kanniyakumari District.

...Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus to call for the records relating to the impugned order passed by the 2nd respondent vide his proceedings no. 190/2024 dated 18.03.2024 and quash the same as illegal and consequently direct the 2nd respondent to release the sale deed no. 1057/2024 by considering petitioners explanation dated 23.03.2024.



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For Petitioner : Mr.K.P. Narayanakumar
For R1 to R3 : Mr.V.Sasikumar,
Additional Government Pleader

ORDER

The present Writ Petition has been filed for the issuance of a Writ of Certiorarified Mandamus to quash the impugned order passed by the 2nd respondent dated 18.03.2024 and consequently direct the 2nd respondent to release the sale deed no. 1057/2024 by considering petitioners explanation dated 23.03.2024.

2. Through the impugned order, the respondent stated that the petitioner had not properly valued the documents as per the guideline value applicable to the housing plot.

3. The learned Counsel appearing for the petitioner submitted that the adjacent lands are still classified as agricultural land and not as housing plots. However, the learned Additional Government Pleader appearing for the respondents pointed out that the petitioner had executed the sale deed describing the property as a housing plot and not as agricultural land. Therefore, the value cited by the petitioner was lower than the applicable rate, and hence, the impugned order was passed.



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4. After considering the rival submissions, this Court is of the considered opinion that, after registering the property, the respondents cannot retain the document and the same ought to be released. However, the respondents are empowered to initiate proceedings under Section 47A of the Registration Act.

5. Accordingly, this writ petition is allowed, and the impugned order is hereby set aside to the extent that it directs the non-release of the document unless the amount is paid. The respondents are directed instead to initiate proceedings under Section 47A of the Registration Act to determine the correct value, and the petitioner shall abide by the outcome of such proceedings. The respondents are further directed to release the document within a period of two weeks from the date of receipt of a copy of this order. The respondents are at liberty to initiate the proceedings at the earliest.

6. With the above observations, this Writ Petition is allowed. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

06.08.2025

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



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S.SRIMATHY, J.

KSA

**ORDER MADE IN
W.P(MD)No.8513 of 2024**

DATED :06.08.2025