

W.P.(MD)No.10653 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 05.08.2025

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD).No.10653 of 2025

G.Santhi

... Petitioner

Vs.

1. The Sub-Registrar,
Usilampatti Sub Registrar Office,
Madurai District.

2. The Tahsildar,
Office of the Tahsildar,
Usilampatti Taluk,
Madurai District.

3. M.Muthusamy

4. N.Veerkalai

5. N.Raja

6. Indhumathi

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, for issuance of a Writ of Certiorarified Mandamus to call for the records pertaining to the 1st respondent proceedings in his Refusal Slip in RFL/உசிலம்பட்டி/11/2025 dated 14.03.2025 is illegal and quash the same



W.P.(MD)No.10653 of 2025

and consequently direct the respondent to Register the settlement Deed dated 20.02.2025.

For Petitioner	: Mr.S.Rengaraj
For R1 & R2	: Mr.G.Suriya Ananth Additional Government Pleader
For R3 to R5	: Mr.A.Raja
For R6	: Mr.S.S.Sundara Pandian

ORDER

The present writ petition is filed for a Certiorarified Mandamus seeking the refusal check slip dated 14.03.2025 and consequently direct the respondent to register the settlement deed.

2. Through the Impugned Order, the 1st respondent have stated that initially the 4 plots belongs to four different persons. Subsequently, the petitioner has purchased all the four plots and is settling the same in the name of her daughter. On perusing the above said four plots, it is seen new pathway were formed. The petitioner while executing the present settlement deed has formed a new pathway and it is coming within the purview of Section 22(A) of the Registration Act, 1908.



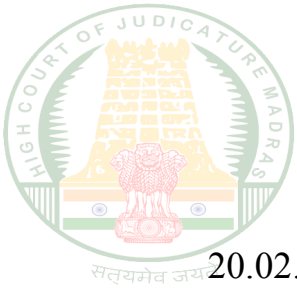
W.P.(MD)No.10653 of 2025

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3. The learned counsel appearing for the petitioner submitted that a larger extent of property was divided. Only four plots were purchased and it is settled in the name of the petitioner's daughter.

4. After hearing the rival submissions and on perusing the encumbrance certificate, it is seen that the petitioner even though purchased four plots, it is above 20 cents. Further in the circular, it has been stated that if the property has been sub divided and 8 new plots are created, the same would not come within the purview of Section 22A. Even though the said clause is applicable to the Greater Chennai Metropolitan Area alone, the logic behind the said 8 plots is to restrict the development in Greater Chennai Metropolitan Area. The same logic may be applied to the present case also, even though the present area is coming within the purview of Usilampatti Town Panchayat. Therefore, the petitioner's case is not coming within Section 22(A)(2) and it is covered under the clarification given in the circular.

5. Therefore, the impugned order dated 14.03.2025 is quashed. Accordingly, the writ petition is allowed by directing the respondents to register the 1st respondent to register the Register the settlement Deed dated



W.P.(MD)No.10653 of 2025

20.02.2025 within a period of four (4) weeks from the date of receipt of a
copy of this order.

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6. The writ petition stands allowed with the above observations. No
costs.

05.08.2025

NCC :yes/No
Index :yes/No
Internet:yes/No
rgm



W.P.(MD)No.10653 of 2025

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To

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Usilampatti Sub Registrar Office,
Madurai District.
2. The Tahsildar,
Office of the Tahsildar,
Usilampatti Taluk,
Madurai District.



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W.P.(MD)No.10653 of 2025

S.SRIMATHY, J.

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W.P(MD).No.10653 of 2025

05.08.2025