



W.P.(MD)No.13254 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 09.07.2025

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD).No.13254 of 2025
and
W.M.P(MD)Nos.9485 and 9487 of 2025

T.Ranjith Kumar

... Petitioner

-VS-

The Joint Sub Registrar No.2,
Office of the Joint Sub Registrar No.2,
Periyakulam,
Theni District.

... Respondent

Prayer: Writ Petition filed under Article 226 of Constitution of India, for issuance of a Writ of Certiorarified Mandamus to call for the records relating to the impugned order of respondent dated 21.03.2025 refusing to register the sale deeds dated 10.03.2025 and 24.03.2025 presented by the petitioner before the respondent, quash the same and consequently direct the respondent herein to register the sale deed dated 10.03.2025 and 24.03.2025 in respect of Survey No.141/4 and 141/1A in Vadipatti Village, Periyakulam Taluk, Theni District.



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W.P.(MD)No.13254 of 2025

For Petitioner : Mr.K.Appadurai
For Respondent : Mr.S.Saji Bino
Special Government Pleader

ORDER

The present writ petition has been filed for a Certiorarified Mandamus to call for the records relating to the impugned order of respondent dated 21.03.2025 refusing to register the sale deeds dated 10.03.2025 and 24.03.2025 presented by the petitioner before the respondent, quash the same and consequently direct the respondent herein to register the sale deed dated 10.03.2025 and 24.03.2025 in respect of Survey No.141/4 and 141/1A in Vadipatti Village, Periyakulam Taluk, Theni District.

2. The respondent through the impugned order stated that the land is classified as a panchamar land hence the no value is given to the said land, hence the document is kept pending.



W.P.(MD)No.13254 of 2025

WEB COPY 3. The learned counsel appearing for the petitioner submitted that admittedly the land is a panchamar land. Both the petitioner and the petitioner's vendor belong to the same Scheduled Caste Community, for which they have produced the Community Certificate. When both the vendor and vendee belong to the same community, there cannot be any bar is selling the land within the community.

4. Moreover, one of the conditions of assignment is that the assignee cannot encumber the property for a period of ten (10) years. After ten (10) years, the vendor is at liberty to deal with the property as per the Condition No.8. It is seen that the assignment is in the year 1973 and the vendor had not encumbered the property for the period of ten (10) years from the date of assignment. Infact the vendor was in possession and enjoyment of the property for the past 40 years, thereafter, only he intended to sell the property.



W.P.(MD)No.13254 of 2025

WEB COPY 5. Therefore, petitioner's vendor being a Scheduled Caste Community has complied with the conditions of assignment, hence there is no violation. Consequently, the respondents are bound to register the same.

6. Therefore, the impugned order dated 21.03.2025 stands quashed. Accordingly, the writ petition stands allowed. Since the value of the property is shown as zero, the respondent is directed to value the property by referring to the adjacent property owners and recover stamp duty and registration fees and thereafter, register the Sale Deed dated 10.03.2025 and 24.03.2025 in favour of the petitioner as expeditiously as possible.

7. With these directions, the writ petition stands allowed. No costs. Consequently, connected miscellaneous petitions are closed.

09.07.2025

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



W.P.(MD)No.13254 of 2025

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To

The Joint Sub Registrar No.2,
Office of the Joint Sub Registrar No.2,
Periyakulam,
Theni District.



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W.P.(MD)No.13254 of 2025

S.SRIMATHY, J.

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W.P(MD).No.13254 of 2025
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