



W.P(MD)No.15069 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :24.06.2025

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.15069 of 2025

Nancy Beula

... Petitioner

Vs.

The Sub Registrar,
Registration Department,
Valliyoar,
Tirunelveli District.

..Respondent

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 respondent in RFL/Valliyoar/19/2025 dated 25.04.2025 and quash the same and consequently, direct the respondent herein to register the Sale Deed dated 23.04.2025 in respect of the property comprised in survey No.11/1A2 newly sub-divided as 11/1A2A punja land, situated at Thalapathysamudram Village , Part II, Nanguneri Taluk, Tirunelveli District.

For Petitioner : Mr.S.Vinayak

For Respondent : Mr.D.Sasi Kumar
Additional Government Pleader



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ORDER

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The present Writ Petition has been filed for the issuance of a Writ of Certiorarified Mandamus, to quash the impugned order passed by the respondent in RFL/Valliyoor/19/2025 dated 25.04.2025 and consequently, to direct the respondent herein to register the Sale Deed dated 23.04.2025 in respect of the property comprised in survey No.11/1A2 newly sub-divided as 11/1A2A punja land, situated at Thalapathysamudram Village, Part II, Nanguneri Taluk, Tirunelveli District.

2.Heard Mr.S.Vinayak, the Learned Counsel for the petitioner, Mr.D.Sasi Kumar, the Learned Additional Government Pleader for the Respondent and perused the material documents available on record.

3.The contention of the petitioner is that the land in S.No.11/1A2 is subdivided as S.No.11/1A2A measuring to an extent of 16.09 cents punja land, situated at Thalapathysamudram Village, Part-II, Nanguneri Taluk, Tirunelveli District. The petitioner has purchased the above said property from one Anthony Michael Raja under registered sale deed dated 11.10.2021, in Doc.No.3153/2021. The patta was also issued by the revenue authorities in Patta No.4083. Out of the total extent of 16.09 cents, the petitioner sold 8 cents of land to two purchasers.



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Thereafter, executed sale deed dated 23.04.2025 in favour of one Ruban Immanuel for 8.09 cents and presented the same for registration to the respondent, the respondent refused to register the said sale deed through impugned Refusal Check Slip in RFL/Valliyoor/19/2025, dated 25.04.2025, stating that the petitioner has purchased a larger extent of property and subdivided it without getting any approval of layout and without forming any new road.

4.It is seen that the petitioner has not subdivided the land for forming of the new layout and he has not intended to lay any new road. However, the adjacent land owner namely, Anthony Michael Raja has already subdivided the larger extent of land into housing plots and formed layout, which was subdivided into S.No.11/1A2B1 and he has also gifted the same to the local body, which is evident from the encumbrance certificate dated 31.01.2022 in D.No.382/2022 and the same was registered as “Thana settlement” (gift deed), where the land owner has gifted the road to the local body and survey number is also shown as S.No. 11/1A2B1. The claim of the petitioner is absolutely right. The petitioner has not subdivided the land and formed any new road. Therefore, Section 22A(2) is not attracted . Hence, the impugned order is liable to be set aside.

5.Accordingly, this writ petition stands allowed. The impugned order passed by the respondent in RFL/Valliyoor/19/2025 dated 25.04.2025 is hereby



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quashed. The respondent herein is directed to register the Sale Deed dated 23.04.2025 in respect of the property comprised in survey No.11/1A2 newly sub-divided as 11/1A2A punja land, situated at Thalapathysamudram Village, Part II, Nanguneri Taluk, Tirunelveli District, and the said exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

24.06.2025

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

VSG

To:

The Sub Registrar,
Registration Department,
Valliyoor,
Tirunelveli District.



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S.SRIMATHY, J.

VSG

**ORDER MADE IN
W.P(MD)No.15069 of 2025**

DATED :24.06.2025