



W.P(MD)No.15241 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.15241 of 2025

and

W.M.P(MD)No. 11515 of 2025

Jebaraj

... Petitioner

Vs

1.The District Registrar,
District Registrar Office,
Polpettai,Thoothukudi,
Thoothukudi District.

2.The Sub Registrar,
Ottapidaram Sub Registrar Office,
Ottapidaram Taluk,
Thoothukudi 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 of the Impugned order passed by 2nd respondent herein in his refusal check slip in refusal No. RFL/Ottapidaram/30/2025 dated 16.04.2025 and to quash the same and consequently direct the 2nd respondent to register the sale deed dated 16.04.2025 presented for registration in favour of the petitioner in the 21.11 cents of Nanja land in Survey No. 166/3F situated at Jampulingapuram Village of Ottapidaram Taluk, Thoothukudi District within a period of stipulated time frame fixed by this Court.



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For Petitioner

: Mr.B.Micheal Sebastin
for M/S.J.Joseph Zinoson

For Respondents

: Mr.S.Saji Bino
Special Government Pleader

ORDER

The present Writ Petition has been filed for the issuance of a Writ of Certiorarified Mandamus, to call for the records of the Impugned order passed by 2nd respondent herein in his refusal check slip in refusal No. RFL/Ottapidaram/30/2025 dated 16.04.2025 and to quash the same and consequently to direct the 2nd respondent to register the sale deed dated 16.04.2025 presented for registration in favour of the petitioner in the 21.11 cents of Nanja land in Survey No. 166/3F situated at Jampulingapuram Village of Ottapidaram Taluk, Thoothukudi District.

2.Heard Mr.B.Micheal Sebastin, for M/S.J.Joseph Zinoson, the Learned Counsel for the petitioner, Mr.S.Saji Bino, the Learned Special Government Pleader for the Respondents and perused the material documents available on record.

3.This Court earlier directed the petitioner to verify whether any sale deed executed prior to 2016. Pursuant to the same, the petitioner has produced encumbrance certificate dated 23.06.2025, wherein it is seen that the property was



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sold in the year 1978 itself, which indicates that sale deeds were executed prior to 2016. Therefore, the road was already formed on the eastern side in the year 1978 itself.

4.On perusal of the present impugned document, it shows that the road is existing on the eastern side of the plots and new road has not been formed. Therefore, Section 22A(2) is not attracted. Hence, the impugned order is liable to be quashed.

5.Accordingly, this writ petition stands allowed. The Impugned order passed by second respondent herein in refusal No. RFL/Ottapidaram/30/2025 dated 16.04.2025 is hereby quashed. The second respondent is directed to register the sale deed dated 16.04.2025 in favour of the petitioner to the extent of 21.11 cents of Nanja land in Survey No. 166/3F situated at Jampulingapuram Village of Ottapidaram Taluk, Thoothukudi 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. Consequently, connected miscellaneous petition is closed.

24.06.2025

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



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To

- 1.The District Registrar,
District Registrar Office,
Polpettai,Thoothukudi,
Thoothukudi District.
- 2.The Sub Registrar,
Ottapidaram Sub Registrar Office,
Ottapidaram Taluk,
Thoothukudi District.



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S.SRIMATHY, J.

Vsg

**ORDER MADE IN
W.P(MD)No.15241 of 2025**

DATED : 24.06.2025