



W.P(MD)No.17554 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 25.06.2025

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.17554 of 2022

and

W.M.P.(MD)Nos.12778 and 12779 of 2022

Xavier

... Petitioner

Vs.

1. The Sub-Registrar,
Keezhsathanur SRO,
Rajaram Salai,
Keezhsathanur,
Tiruchirappalli District.
2. The District Registrar,
Tiruchirappalli District.
3. The District Revenue Officer,
Tiruchirappalli District.

4. V.Savithiri

... 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 pertaining to the impugned letter dated 24.01.2021 in Ne.Mu.Ka.B5/30344/2020, issued by the 3rd respondent to the 1st Respondent, restraining registration of any document pertaining to the properties comprised in the Survey Numbers listed therein and the consequent refusal of the 1st Respondent in his Refusal Check



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Slip in RFL/Keezhsathanur/52/2022 dated 22.07.2022 with respect to the sale deed dated 22.07.2022 executed by the 4th respondent in favour of the petitioner and to quash the same and consequently, to direct the 1st respondent to entertain the said document for registration.

For Petitioner : Mr.M.R.Sreenivasan

For R1 to R3 : Mr.S.Saji Bino
Special Government Pleader

For R4 : Mr.Raja Jeya Chandra Paul

ORDER

The present Writ Petition has been filed for the issuance of a Writ of Certiorarified Mandamus, to quash the impugned letter dated 24.01.2021 in Ne.Mu.Ka.B5/30344/2020, issued by the 3rd respondent to the 1st respondent, restraining registration of any document pertaining to the properties comprised in the Survey Numbers listed therein and the consequent refusal of the 1st respondent in his Refusal Check Slip in RFL/Keezhsathanur/52/2022 dated 22.07.2022 with respect to the sale deed dated 22.07.2022 executed by the 4th respondent in favour of the petitioner and consequently, to direct the 1st respondent to entertain the said document for registration.

2. The respondents have refused to register the document through the impugned letter dated 24.01.2021 stating the lands are termed as “excess lands”. On perusing the said letter, it is seen that the respondents are rejecting for Survey



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No.2/2R and the said survey number is stated as excess lands. The contention of the petitioner is that the petitioner's land is in Survey No.2/2R1B but the objection is only for Survey No.2/2R. The said contention of the petitioner cannot be accepted since Survey No.2/2R is subdivided further and for the sub divided property a new Survey No.2/2R1B was assigned to the petitioner's land.

3. Having held so, the respondents cannot object for registering the document by citing the proceedings of the concerned authority as excess land. It is seen that the revenue department had submitted an objection stating that the decision in the proceedings to determine excess land is still pending. The respondents by citing the said objection, had stated in the refusal slip, until a decision is taken in the pending proceedings, the document cannot be registered. Such a reason stated by the respondents is erroneous. The registration department can only ascertain the identification of the parties and they cannot sit over as Civil Court and determine the title, even if it is excess land.

4. Therefore, the impugned orders are liable to be quashed and accordingly quashed. The official respondents are directed to register the document within a period of 4 weeks from the date of receipt of a copy of this order.



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5. With the above observations, this Writ Petition is allowed. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

25.06.2025

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

Tmg

Note: Issue order copy on 30.06.2025.

To

1. The Sub-Registrar,
Keezhsathanur SRO,
Rajaram Salai,
Keezhsathanur,
Tiruchirappalli District.
2. The District Registrar,
Tiruchirappalli District.
3. The District Revenue Officer,
Tiruchirappalli District.



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S.SRIMATHY, J.

Tmg

**ORDER MADE IN
W.P(MD)No.17554 of 2022**

DATED : 25.06.2025