



W.P(MD)No.17292 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.06.2025

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.17292 of 2025

and

W.M.P(MD)No.13181 of 2025

K.Barakathnisha

... Petitioner

Vs

The Sub Registrar,
The Melur West Sub Registrar Office,
Melur,
Madurai 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 check slip RFL/ Melur (West) / 24 /2025 dated 19.05.2025 issued by the respondent herein and quash the same and consequently direct the respondent herein to entertain the Settlement Deed, dated 14.05.2025 and presented by the petitioner for registration dated 19.05.2025 for registration, within time fixed by this Court.

For Petitioner : Mr.S.Sankar

For Respondent : Mr.S.Saji Bino
Special Government Pleader



W.P(MD)No.17292 of 2025

ORDER

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The present Writ Petition has been filed for the issuance of a Writ of Certiorarified Mandamus, to quash the refusal check slip dated 19.05.2025 and consequently, direct the respondent to register the settlement deed dated 14.05.2025.

2. Through the impugned order, the respondent refused to register the settlement deed on the ground that the plots are unapproved plots and that there is no proper new road in the said plot.

3. On perusing the settlement deed, it is seen that the petitioner's husband has executed the settlement deed in favour of the petitioner. There was a larger extent at 11 cents, 9 cents were already sold to third parties. Now, two cents each from two different survey numbers, totally four cents are available. The husband is intended to execute a settlement deed in favour of his wife. On perusing the four boundaries, it is seen that there is no road at all and the surrounding lands are classified as nanja land and there is no housing plot at all. Therefore, there is no fresh layout formed in the land to attract Section 22-A(2). In such circumstances, the respondent cannot seek for DTCP approval. However, the petitioner cannot seek to register the same as agricultural land since only four cents are available.



W.P(MD)No.17292 of 2025

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4. Accordingly, the impugned order is hereby quashed. The respondent is directed to register the settlement deed treating the land as a plot and not as agricultural land and collect the applicable stamp duty for a plot and registration fees, within a period of four (4) weeks from the date of receipt of a copy of this order.

5. With the above said direction, this Writ Petition is allowed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

26.06.2025

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

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To:

The Sub Registrar,
The Melur West Sub Registrar Office,
Melur,
Madurai District.



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W.P(MD)No.17292 of 2025

S.SRIMATHY, J.

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ORDER MADE IN
W.P(MD)No.17292 of 2025

DATED : 26.06.2025