



W.P(MD)No.17401 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.07.2025

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.17401 of 2025

and

W.M.P(MD)Nos.13263 of 2025

Kannan

... Petitioner

Vs

The Sub Registrar,
Idalagudi,
Kanniyakumari District.

... Respondent

PRAAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for the impugned refusal check slip under Refusal No. RFL/Idalagudi/58/2025 passed by the respondent dated 12.06.2025 and to quash the same as illegal and further to direct the respondent to register the sale deed dated 12.06.2025 executed by the petitioner relating to the property situated under old S. No.63/9A1A1 its New sub division S. No.63/16 measuring to an extent of 1.877 Cents equivalent to 76 sq.mt. located at Eraviputhoor Village, Agastheeswaram Taluk, Kanniyakumari District.

For Petitioner : Mr.B.Micheal Sebastin

For Respondent : Mr.G.Suriya Ananth
Additional Government Pleader



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ORDER

The present Writ Petition has been filed for the issuance of a Writ of Certiorarified Mandamus, to quash the impugned refusal check slip dated 12.06.2025 and consequently, to direct the respondent to register the sale deed dated 12.06.2025.

2. Through the impugned order, the respondent stated that the plot in question is not an approved plot, hence under provisions of Section 22A2, the document cannot be registered.

3. The learned counsel appearing for the petitioner submitted that on 15.09.2003, there is a settlement among family members through Document No. 2451 of 2003, which was sold as agricultural land. Subsequently, the plots were divided into housing plots. The petitioner purchased 1 cent 87 square feet, prior to which several deeds were executed. However, the sale is between 2023 to 2025. Admittedly all the sales were after the cut off date, but a substantial portion of the property has already been sold.

4. This Court is of the considered opinion that when a substantial portion is



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already sold, the respondent cannot raise an objection under the provisions of Section 22A2. Accordingly, the impugned refusal check slip is quashed. The respondent is directed to register the document within a period of four weeks from the date of receipt of a copy of this order. Even though the sale deed is stated as agricultural land for 1-2 cents, no agricultural activity can be carried out. Therefore, the said document shall be registered as a housing plot by obtaining appropriate stamp duty for housing plot.

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

30.07.2025

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

jbr



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S.SRIMATHY, J.

jbr

To:

The Sub Registrar,
Idalagudi,
Kanyakumari District.

ORDER MADE IN
W.P(MD)No.17401 of 2025

DATED : 30.07.2025