



W.P(MD)No.18404 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 09.07.2025

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.18404 of 2025

Kaliyamoorthy

... Petitioner

Vs

The Sub Registrar,
Vallam Sub -Registrar Office,
Thanjavur District.

... Respondent

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the Impugned refusal check slip No.RFL/Vallam-Thanjavur/63/2025 dated 27.06.2025 of the respondent and quash the same as illegal and consequently directing the respondent to register the sale deed presented by the petitioner for registration within the period that may be stipulated by this Court.

For Petitioner : Mr.V.G.Vallarasu Chezhiyan

For Respondent : Mr.D.Sasikumar
Additional Government Pleader



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ORDER

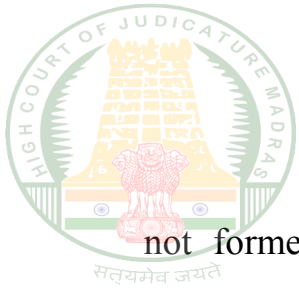
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The present Writ Petition has been filed for the issuance of a Writ of Certiorarified Mandamus, to quash the refusal slip dated 27.06.2025 and consequently, direct the respondent to register the sale deed presented by the petitioner for registration.

2. Through the impugned order, the respondent has refused to register the sale deed stating that the petitioner is creating a new road, thereby attracting Section 22-A of the Registration Act.

3. The learned Counsel appearing for the petitioner submitted that they are not creating new road for which he has relied on the petitioner's proposed sale deed along with an earlier registered deed which was executed on 01.04.2015. The petitioner has also produced the Encumbrance Certificate to substantiate the same.

4. On perusing the Encumbrance Certificate, it is seen that in the same survey No.201/8B, Document No.973 of 2015 was registered on 01.04.2015, wherein 20 feet road as well as a vaari on the southern and northern side respectively are shown as boundaries. In the petitioner's proposed sale deed, 20 feet road as well as vaari are shown as boundaries. Therefore, the petitioner has



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not formed any new road thereby not attracting Section 22(A). Further the petitioner is entitled to the benefits of Clause 3 of Circular No.68 dated 16.03.2020.

5. In view of the above, the impugned order is set aside. The respondent is directed to register the sale deed within a period of four (4) weeks from the date of receipt of a copy of this order.

6. With the above said directions, this Writ Petition is allowed. There shall be no order as to costs.

09.07.2025

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

jbr

To:

The Sub Registrar,
Vallam Sub -Registrar Office,
Thanjavur District.



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S.SRIMATHY, J.

jbr

ORDER MADE IN
W.P(MD)No.18404 of 2025

DATED : 09.07.2025