



W.P(MD)No.19780 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.07.2025

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.19780 of 2025

C.Rajesh

... Petitioner

Vs.

1. The Inspector General of Registration,
Office of the the Inspector General of Registration,
100, Santhome High Road,
Raja Annamalaipuram,
Chennai.
2. The District Registrar,
District Registrar Office,
Palayamkottai,
Tirunelveli District.
3. The Sub Registrar,
Sub Registrar Office,
Moolakaraipatti,
Tirunelveli District.

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 entire records relating to the impugned Refusal Check Slip passed by the 3rd respondent in RFL/Moolakaraipatti/40/2025, dated 10.07.2025 and to set aside the same and further, to direct the 3rd respondent to register the sale deed executed by petitioner dated 09.07.2025.

For Petitioner : Mr.C.Susikumar

For Respondents : Mr.G.Suriya Ananth
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 impugned refusal check slip passed by the 3rd respondent in RFL/Moolakaraipatti/40/2025, dated 10.07.2025 and further, to direct the 3rd respondent to register the sale deed executed by petitioner dated 09.07.2025.

2.The petitioner purchased an agricultural land measuring an extent of 2.62.00 hectares comprised in S.No.495/2A situated at Ariyakulam Village, Naguneri Taluk, Tirunelveli District, through a registered sale deed dated 17.08.2023. Subsequently, the petitioner alienated the property in favour of third parties. The sale was executed as agricultural land. It was not accepted by the third respondent, who issued the refusal check slip. This Court quashed the check slip in W.P.(MD).No.30381 of 2024 dated 17.12.2024. Yet again, when the alienation was made, the third respondent refused to receive the document. The petitioner approached this Court in W.P.(MD).No.4666 of 2025. When that writ petition came up for admission, the third respondent stated that the document was already registered in Doc.No.438/2025. Hence, that writ petition was closed. Thereafter, the petitioner attempted to sell 34 cents of punja land in favour of one Seelan. Yet again, the third respondent has passed the refusal check slip, dated 06.03.2025, stating that Section 22A(2) of the Registration Act is attracted.



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Hence, the petitioner filed W.P.(MD)No.7318 of 2025 and the same was allowed.

Yet again, the third respondent has passed the refusal check slip, dated 10.07.2025, stating that Section 22A(2) of the Registration Act is attracted.

Hence, the present writ petition.

3.The learned Counsel appearing for the petitioner submitted that the alienation of the property is only as agricultural land. Therefore, Section 22A will not be applicable.

4.The learned Additional Government Pleader appearing for the respondents submitted that a large extent of 6 acres and 47 cents is being subdivided repeatedly and sold individually by creating a road. Further, a new road has been created in the document produced by the writ petitioner and therefore, it has to be treated as a sale of a house site. He relies upon G.O.(MS).No.78, Housing and Urban Development [UD4(3)] Department, dated 04.05.2017. The said G.O, notified the Tamil Nadu Regulation of Unapproved Layouts and Plots Rules, 2017. Relying upon Rule 15(b) of the Rules, he pleads that such an unapproved plot or layout should not be registered under the Registration Act, 1908. Therefore, the impugned refusal slip is valid.

5. This Court is of the considered opinion that the petitioner is selling



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the subdivided land as agriculture land, since he could not sell the land in entirety as there are no buyers available.

6.As far as the plea of application of Section 22A(2) of the Registration Act is concerned, this Court is of the considered opinion that the said Section applies when a person transfers agricultural land as a house site without prior permission of the appropriate authority. Section 22A(2) does not apply when the transfer is of agricultural land. As pointed out earlier, in the present case, the land has been treated as “அயன் புஞ்சை” (agricultural land). Therefore, Section 22A(2) does not apply.

7.Apart from that, the Tamil Nadu Regulation of Unapproved Layouts and Plots Rules, 2017 is also applicable only when an immovable property is sold, either as a plot or as part of a layout. When that is not the situation here, the said Rule is also not applicable.

8. Further, the issue is no longer res integra and it had been settled by the order passed in the case of ***D.Rajamanickam Vs The Sub Registrar, Salem [West]***, W.P.No.426 of 2022 dated 01.07.2024.

9. In the light of the above discussion, the writ petition is allowed



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and the impugned refusal check slip, dated 10.07.2025 is quashed. The third respondent is directed to register the sale deed presented by the petitioner within a period of two weeks from the date of receipt of a copy of this order. No costs.

22.07.2025
(1/2)

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

Tmg

To:

1. The Inspector General of Registration,
Office of the The Inspector General of Registration,
100, Santhome High Road,
Raja Annamalaipuram,
Chennai.
2. The District Registrar,
District Registrar Office,
Palayamkottai,
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S.SRIMATHY, J.

Tmg

**ORDER MADE IN
W.P(MD)No.19780 of 2025**

**DATED : 22.07.2025
(1/2)**