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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.07.2025

CORAM:

THE HONOURABLE MRS JUSTICE S.SRIMATHY

W.P.(MD) No.20273 of 2025

K.Ashokan

... Petitioner

Vs

1.The District Registrar

Kanyakumari,

Kanyakumari District.

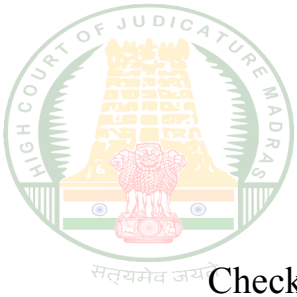
2.The Sub Registrar

Thuckalay Sub Register Office,

Thuckalay, Kanyakumari District.

... Respondent

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of CERTIORARIFIED MANDAMUS calling for the records relating to the Impugned Refusal



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Check Slip in No.RFL/Thuckalay/185/2025 dated 11.07.2025 of the second respondent and quash the same and direct the second respondent to register the Gift Deed dated 11.07.2025 executed by this petitioner.

For Petitioner : Mr.B.Rajesh Saravanan,

For Respondents : Mr.S.Saji Bino,
Special Government Pleader.

ORDER

This Writ Petition has been filed for the issuance of a Writ of Certiorarified Mandamus to quash the Impugned Refusal Check Slip in No.RFL/Thuckalay/185/2025 dated 11.07.2025 of the second respondent and direct the second respondent to register the Gift Deed dated 11.07.2025 executed by this petitioner.

2.Through the impugned order, the second respondent has refused to register the gift deed dated 11.07.2025 stating that DTCP approval was not obtained. If the document is registered without approval, the same is against Section 22A(2) of the Registration Act, 1908.



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3.The learned counsel appearing for the petitioner submitted that the Petitioner has intended to gift three portion of the land to his three children and retained one portion for himself. It is seen from the record that the petitioner has retained 3 cents 921 sq.lings in his favour and the remaining 17 cents 829 sq. lings were divided in favour of his three children and gifted through the present impugned gift deeds dated 11.07.2025, which was refused to register.

4.On perusal of the four boundaries, it is seen that no new road has been formed. The other portion of the land is shown as four boundaries. Further, the division is among the family members and therefore, DTCP approval is not necessary. Hence, the impugned order is liable to be quashed.

5.Accordingly, this writ petition is allowed. The Impugned Refusal Check Slip in No.RFL/Thuckalay/185/2025 dated 11.07.2025 passed by the second respondent is hereby quashed. The second respondent is directed to register the Gift Deed dated 11.07.2025 executed by the



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petitioner. The said exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order. No costs.

28.07.2025

NCC : Yes/No

Index : Yes/No

Internet : Yes

vsg

To

1.The District Registrar

Kanyakumari,

Kanyakumari District.

2.The Sub Registrar

Thuckalay Sub Register Office,

Thuckalay, Kanyakumari District.



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S.SRIMATHY, J

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