



W.P(MD)No.20976 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 14.10.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.20976 of 2025

Suganya

... Petitioner

Vs.

1.The Sub Registrar,
Sub Registrar office of Thiruvaiyaru,
Thiruvaiyaru Taluk,
Thanjavur District.

2.Gopal
***(R.2 is impleaded vide order
of this Court dated 16.09.2025
in W.M.P(MD)No.17558 of 2025)***

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the record pertaining of the original Refusal Check slip passed by the respondent vide his proceedings in RFL/Thiruvaiyaru/110/2025 dated 08.07.2025 and quash the same as illegal and directing the respondent to register the Rectification deed In Sale Deed No.1487/2025 without DTCP approval.



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For Petitioner : Mr.M.Vivek
For Respondents : Mr.D.Gandhiraj
Special Government Pleader
for R.1

ORDER

Heard both sides.

2.Sale deed dated 20.06.2025 was executed in favour of the writ petitioner by the second respondent. It was registered as Document No. 1487 of 2025 on the file of the first respondent. According to the petitioner, survey number was wrongly mentioned as 162/2F. According to her, the correct survey number is 162/2A1. Hence, rectification deed was executed and presented. The registering authority declined to register the document by invoking Section 22A of the Registration Act, 1908. Challenging the same, this writ petition has been filed.

3.I carefully compared the four boundary description setout in the original document as well as in the rectification deed. There is no change in the dimensions or in the four boundary description. The only change that has been made is regarding the survey number.



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4.It is well settled that it is the four boundary description that matters and not the survey number. When the original sale deed with the same four boundary description was permitted to be registered, the authority cannot refuse to register the rectification deed only on the ground that the survey number varies. Invocation of Section 22A in such a case appears to be misconceived.

5.In this view of the matter, the impugned refusal check slip is quashed. The meat of the matter appears to be more in the matter of payment of stamp duty. The authority appears to have applied the guideline value applicable to Survey No.162/2F. It appears that the guideline value of Survey No.162/2A1 is different. It is therefore open to the authority to withhold the registered rectification deed and if advised refer the matter under Section 47A of the Stamp Act, 1899. With the aforesaid liberty to the registering authority, I permit the petitioner to re-present the document. It shall be registered.



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6.This Writ Petition is allowed on these terms. No costs.

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

To

The Sub Registrar,
Sub Registrar office of Thiruvaiyaru,
Thiruvaiyaru Taluk,
Thanjavur District.



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G.R.SWAMINATHAN, J.

MGA

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