



W.P(MD)No.20979 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.08.2025

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.20979 of 2025

Selvanayagam

... Petitioner

Vs

The Sub Registrar,
Karivalamvanthanallur Sub Registrar Office,
Sankarankovil Taluk,
Paruvakkudi Village,
Tenkasi 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 of the respondent in impugned Refusal Check Slip bearing Refusal number: RFL/Karivalamvanthanallur/103/2025 dated 01.07.2025 and to quash the same and consequentially direct the respondent to accept and register the Sale Deed dated 01.07.2025 executed by the petitioner in favour of one Rameshwari.

For Petitioner : Mr.R.Rajamohan

For Respondent : Mr.S.Kameshwaran
Government Advocate



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ORDER

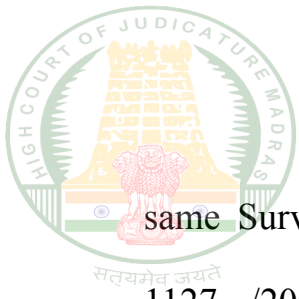
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The present Writ Petition has been filed for the issuance of a Writ of Certiorarified Mandamus, to quash the impugned refusal check slip dated 01.07.2025 and consequently, direct the respondent to accept and register the sale deed dated 01.07.2025 executed by the petitioner in favour of one Rameshwari.

2. Through the impugned order, the respondent stated that the petitioner is selling the land as housing plots without obtaining DTCP approval, which is against the provisions of Section 22A of the Registration Act.

3. The learned Counsel appearing for the petitioner by relying on the Encumbrance Certificate submitted that several plots were sold in the same Survey No.367/7.

4. On perusing the Encumbrance Certificate, it is seen that prior to 1994, two plots were sold to the extent of 30 cents each in Document Nos. 205/1994 and 512/1994. On peruding the four boundaries, it is seen that on the southern side there is a “vandi pathai” along the East-West direction. Further, in Document No. 742 of 1994, two cents in the same Survey No.367/7 were sold, wherein the northern boundary is shown as an East–West Road. Again in the year 2008, the



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same Survey No.367/7, an extent of 30,492 sq.ft. was sold in Document No. 1127 /2008, and even there the northern boundary is shown as an East–West Road.

5. On perusing these entries in the Encumbrance Certificate, it is evident that the land was subdivided prior to 2016 itself, and several transactions have happened. Moreover, already there is an existing road which is being shown in all the documents as four boundaries. Therefore, there is no new layout or new road has been formed. Hence, the respondent is not correct in stating to produce the DTCP approval plan. Accordingly, the impugned order is hereby quashed. 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.

01.08.2025

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

jbr



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S.SRIMATHY, J.

jbr

To:

The Sub Registrar,
Karivalamvanthanallur Sub Registrar Office,
Sankarankovil Taluk,
Paruvakkudi Village,
Tenkasi District.

ORDER MADE IN
W.P(MD)No.20979 of 2025

DATED : 01.08.2025