



W.P(MD)No.21660 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.08.2025

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.21660 of 2025

1. A.Santhanam

2. A.Sivakumar

... Petitioners

Vs

The Sub - Registrar,
The Joint - II Sub Registration Office,
Dindigul,
Dindigul District.

... Respondent

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 records relating to the impugned order of refusal check slip issued by the respondent in his proceedings in RFL/2 Joint-II Sub-Registrar Dindigul /86/2025 dated 29.07.2025 and to quash the same as illegal and consequently, direct the respondent to register the Decree passed in O.S.No.469 of 1983 on the file of the learned Additional District Munsif Court, Dindigul, dated 10.11.1993.

For Petitioners	: Mr.D.Kirubakaran for M/s.B.Saravanan Associates
For Respondent	: Mr.D.Sasi Kumar 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 dated 29.07.2025 and consequently, direct the respondent to register the decree passed in O.S.No.469 of 1983 on the file of the learned Additional District Munsif Court, Dindigul, dated 10.11.1993.

2. Through the impugned order, the respondent refused for registration on the ground that the classification of the land is Bhoomadhan.

3. The learned Counsel appearing for the petitioner submitted that a similar issue had already been considered by another learned Single Judge in W.P.(MD)No.25779 of 2024 dated 29.10.2024, wherein it is held that since it is classified as Bhoomadhan land, the respondent cannot refused to register the document.

4. The same issue had already been considered by the learned Single Judge in W.P.(MD)No.25779 of 2024 dated 29.10.2024 and the relevant portion is extracted hereunder:



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“5.At the outset, this Court is of the view that the order impugned in this writ petition cannot be sustained in the eye of law for the simple reason that the petitioner is none other than the son of the decree holder. Hence, there will not be any bar under the statute to register the said decree by the legal heir of the decree holder. Insofar as the other ground that the property is shown as bhoomadhan land is concerned, it is relevant to note that even assuming that the subject property is shown as bhoomidhan land, that will not be a bar for registering the decree of the civil Court. The very object of Section 22~A of the Act is only to restrict conversion of agricultural land or any other land as unapproved house sites without the permission for development of such land from planning authority concerned. In the case on hand, mere registration of the decree will not amount to transfer any property.”

5. Therefore, following the above said judgment, this Court is of the considered opinion that the respondent cannot refuse to register the decree on the ground that the land is classified as Bhoomadha. Accordingly, the impugned refusal check slip is quashed. The respondent is directed to register the decree passed in O.S.No.469 of 1983 on the file of the learned Additional District Munsif Court, Dindigul, dated 10.11.1993, within a period of four (4) weeks from the date of receipt of a copy of this order.



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

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08.08.2025

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

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To:

The Sub - Registrar,
The Joint - II Sub Registration Office,
Dindigul,
Dindigul District.



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S.SRIMATHY, J.

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ORDER MADE IN
W.P(MD)No.21660 of 2025

DATED : 08.08.2025