



W.P(MD)No.21527 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.08.2025

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.21527 of 2025

Mahalakshmi

... Petitioner

Vs

1. The District Registrar,
Virudhunagar District.
Virudhunagar

2. The Sub-Registrar,
Sub Registrar Office,
M.Rediyapatti,
Virudhunagar District.

... Respondents

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 pertaining to the Refusal check slip by its Refusal No.RFL/M Reddiyapatti/11/2025 issued by the second respondent dated 31.07.2025 and quash the same as unlawful and unsustainable and consequently direct the second respondent to register the Gift settlement deed dated 30.07.2025 as and when the same is presented by the petitioner.

For Petitioner : Mr.S.Kishore Kumar

For Respondents : Mr.S.Kameshwaran
Government Advocate



W.P(MD)No.21527 of 2025

ORDER

WEB COPY

The present Writ Petition has been filed for the issuance of a Writ of Certiorarified Mandamus, to quash the impugned refusal check slip dated 31.07.2025 and consequently direct the second respondent to register the Gift settlement deed dated 30.07.2025.

2. Through the impugned order, the second respondent refused to register stating the gift settlement deed on the ground that the plot is an unapproved layout. Therefore, it attracts the provisions of Section 22-A(2) of the Registration Act.

3. The learned Counsel appearing for the petitioner has submitted that a larger extent of the plot was subdivided and plots were laid as early as 2012. For which, he is relying on the Encumbrance Certificate issued by the respondents. The Encumbrance Certificate was issued for the period from 01.01.1975 to 15.02.2025. In Serial No.48, Document No.550/2014 was executed on 27.03.2024, wherein the boundary shows as Plot No.7 on the western side, and on the southern side, there is a common pathway. This clearly indicates that plots were laid prior to 2016 and that an old road was already in existence.



W.P(MD)No.21527 of 2025

4. In view of the above, this Court is of the considered opinion that the reasons stated in the impugned order is totally non-application of mind. Accordingly, the impugned order is quashed. The second respondent is directed to register the Gift settlement Deed within a period of four (4) weeks from the date of receipt of a copy of this order.

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

06.08.2025

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

jbr

To:

1. The District Registrar,
Virudhunagar District.
Virudhunagar
2. The Sub Registrar,
Sub Registrar Office,
M.Rediyapatti,
Virudhunagar District.



WEB COPY



W.P(MD)No.21527 of 2025

S.SRIMATHY, J.

jbr

ORDER MADE IN
W.P(MD)No.21527 of 2025

DATED : 06.08.2025