



W.P(MD)No.21871 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.21871 of 2025

and

W.M.P(MD)Nos.16981 & 16984 of 2025

1.Shankari

2. Subramaniyan

... Petitioners

vs.

The Sub Registrar,
Valliyoor,
Tirunelveli 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 records relating to the impugned refusal check slip of the respondent in RFL/Valliyoor/36/2025 dated 21.07.2025 and quash the same and consequently direct the respondent to register the sale deed dated 21.07.2025 executed by the 2nd petitioner in favour of 1st petitioner and release the same within the time frame fixed by this Court.

For Petitioner : Mr.M.Subbiah

For Respondent : Mr.S.Saji Bino
Special Government Pleader



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ORDER

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The present Writ of Certiorarified Mandamus to quash the impugned refusal check slip of the respondent dated 21.07.2025 and consequently direct the respondent to register the sale deed dated 21.07.2025 executed by the 2nd petitioner in favour of 1st petitioner and release the same within the time frame fixed by this Court.

2. Through the impugned order, the respondent has stated that the said plot is an approved plot. Therefore, the provisions of Section 22A of the Registration Act are attracted.

3. The learned counsel appearing for the petitioner submitted that the petitioner's husband has purchased another plot, located on the northern side of the present plot, which was purchased as agricultural land. Further, a road is already shown in the petitioner's husband's plot, which was registered in the year 2015, prior to the cut-off date.

4. However, the learned Special Government Pleader appearing for the respondent vehemently objected to the said contention and stated that the petitioner's husband's plot lies in a different location. Moreover, in the petitioner's husband's document, the southern boundary is shown as a panchayat road,



whereas in the present document, another plot is shown on the southern side and no road is indicated. Therefore, when there is a discrepancy in the boundaries, the petitioner's contention cannot be accepted, and the respondent seeks to sustain the impugned order.

5. After hearing the rival submissions, this Court is of the considered opinion that when the petitioner's husband had purchased a plot and the southern boundary is shown as a panchayat road, it indicates that no new road has been formed.

6. Further, the learned counsel appearing for the petitioner submitted that they intend to use the present land for agricultural purposes by annexing it with the petitioner's husband's land. Therefore, they should not be burdened with the stamp duty applicable to a housing plot.

7. However, the learned Special Government Pleader appearing for the respondent submitted that this contention cannot be accepted, since the petitioner is purchasing a smaller extent of land, which is below 20 cents.

8. Considering the facts of the case, this Court is of the considered opinion that if the petitioner intends to use the land as agricultural land by annexing it with the petitioner's husband's land, then he is required to submit an



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undertaking to that effect before the respondent. On such undertaking, registration may be permitted.

9. Therefore, the impugned refusal check slip issued by the respondent dated 21.07.2025 is hereby quashed. The petitioner is directed to submit an undertaking that he would use the present plot as agricultural land only. Based on the said undertaking, the respondent shall proceed further and register the same as agricultural land within a period of four weeks, from the date of receipt of a copy of the order.

10. With the above observations, this Writ Petition is allowed. There shall be no order as to costs. Consequently, connected miscellaneous petitions are allowed.

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

KSA

08.08.2025

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To

The Sub Registrar,
Valliyoor,
Tirunelveli District.



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S.SRIMATHY, J.

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**ORDER MADE IN
W.P(MD)No.21871 of 2025**

DATED : 08.08.2025