



W.P(MD)No.23968 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 10.09.2025

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.23968 of 2025

S.Pothiraj

... Petitioner

Vs.

1.The District Registrar,
Virudhunagar District,
Virudhunagar.

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

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the Refusal Check Slip by its Refusal No.RFL/M.Reddiyapatti/12/2025 issued by the 2nd respondent dated 20.08.2025 and quash the same as unlawful and unsustainable consequently directing the 2nd respondent to register the sale deed dated 20.08.2025 as and when the same is presented by the petitioner.



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For Petitioner : Mr.S.Kishore Kumar

For Respondents : Mr.D.Gandhiraj,
Spl. Government Pleader.

ORDER

Heard both sides.

2.The writ petitioner purchased the petition mentioned land vide sale deed dated 17.04.2025 (Document No.430/2025). The petitioner wants to sell the same in favour of one Ramamoorthy. The registering authority declined to accept the document for registration and instead issued the refusal check slip. According to the registering authority, the petitioner is unauthorizedly developing the land and it is contrary to Section 22A of the Registration Act. The stand of the authority is put to challenge in this writ petition.

3.As rightly pointed out by the learned counsel for the writ petitioner, the registering authority cannot raise any objection, if there is no alteration in the character of the land. The writ petitioner had



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purchased 22 cents of agricultural land. The said land is being sold as such in favour of the purchaser. If the petitioner has converted the said land as a house site, then Section 22A of the Act will be attracted. That is not case here.

4.A learned Judge of this Court vide order dated 01.07.2024 made in W.P.No.426 of 2022 (D.Rajamanickam Vs. Sub Registrar, Salem) had held that Section 22A of the Registration Act would apply only in respect of sale of such land as house site for the purpose of construction without permission, for development such as from planning authority concerned and that sale of such land for any other purpose other than housing development, cannot be found objectionable.

5.Respectfully applying the aforesaid ratio, the impugned refusal check slip is quashed. The petitioner is permitted to re-present the document. It shall be registered and released subject to fulfilment of other usual formalities.



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6.This writ petition is allowed accordingly. No costs.

10.09.2025

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

- 1.The District Registrar,
Virudhunagar District,
Virudhunagar.
- 2.The Sub-Registrar,
Sub Registrar Office,
M.Reddiyapatti,
Virudhunagar District.



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G.R.SWAMINATHAN, J.

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