



W.P(MD)No.25551 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 18.09.2025

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.25551 of 2025

M.Shek Ali

... Petitioner

Vs.

The Sub Registrar
Joint 2 Sub-Registrar Thenkasi,
Thankasi District.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned Refusal Check RFL/Joint Sub-Registrar No.2 Thenkasi/131/2025 dated 03.09.2025 issued by the Respondent and quash the same as illegal and consequently direct the Respondent to Register the Sale Deed dated 01.09.2025 presented by the petitioner, with law.

For Petitioner : Mr.S.Kameshwaran

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



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ORDER

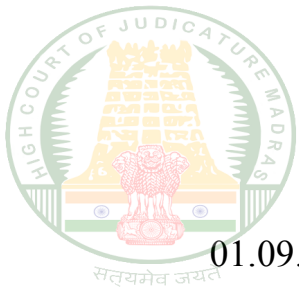
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Heard both sides.

2.The writ petitioner purchased the petition mentioned property from one Karunambal vide sale deed dated 19.12.2024. It was registered as Document No.5639/2024. He wants to sell the property in favour of one Abubakker Sithik. The sale deed dated 01.09.2025 was executed and presented for registration. The registration was refused by citing the bar under Section 22A of the Registration Act. Challenging the stand of the registering authority, this writ petition has been filed.

3.There is considerable force in the contention of the learned Special Government Pleader that the earlier registrations appear to be illegal. The northern boundary has been shown as seven meter east-west common road. It is not known as to when this road was formed. There is nothing on record to show that it was there prior to the cut off date. Be that as it may be, patta has been mutated in favour of the writ petitioner. Copy of Patta No.8938 in the name of the writ petitioner has been enclosed at Page No.36 of the typed set of papers. The sale deed dated

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01.09.2025 describes the land as an agricultural land. The petitioner undertakes to procure an affidavit from the purchaser that he will develop the property only after getting approval from the competent authority. In other words, unless the land in question is regularized as a plot by DTCP, no housing development will take place.

4.Recording the said undertaking, the order impugned in the writ petition is quashed. The petitioner is permitted to re-present the document. It shall be registered by the respondent. If the respondent has any issue regarding valuation, reference can be made under Section 47A of the Stamp Act. This order also shall be registered by the registering authority on suo motu basis.

5.This writ petition is allowed on these terms. No costs.

18.09.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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To:
The Sub Registrar
Joint 2 Sub-Registrar Thenkasi,
Thankasi District.

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G.R.SWAMINATHAN, J.

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