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W.P.(MD)NO.25038 OF 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 15.09.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.25038 of 2025

Durairaj

... Petitioner

Vs.

1. The District Registrar (Audit),
Tirunelveli.

2. The District Registrar(Administration),
Tirunelveli.

3. The Sub Registrar,
Panagudi, Tirunelveli.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the third respondent to register the sale deed dated 04.09.2025 executed by the petitioner relating to the property situated under old S. No.1886/1A and 1886/2A Perungudi Part II Village, Radhapuram Taluk, Tirunelveli District by considering the petitioner's application No.TP/231939945/2025 dated 04.09.2025.

For Petitioner : Mr.R.Rajeshkumar

For R-1 to R-3 : Mr.D.Gandhiraj,
Special Government Pleader.

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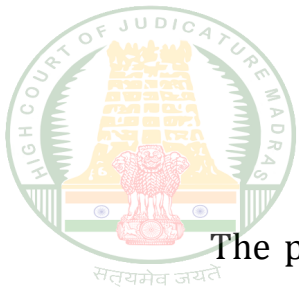


ORDER

Heard both sides.

2. The petitioner purchased 25 cents of land vide registered sale deed dated 13.01.2021. The petitioner now wants to part with half of the said land. He had identified a buyer and executed sale deed dated 04.09.2025. It was presented for registration. The registering authority declined to accept the document for registration by citing the bar set out in Section 22A of the Registration Act. To that effect, the impugned refusal check slip was issued. Challenging the same, this writ petition came to be filed.

3. I had a look at the description of the property set out in the sale deed dated 13.01.2021 and the one set out in the sale deed dated 04.09.2025. I am satisfied that there has been no development of the property as such. The petitioner as the owner of the property cannot be prevented from dealing with the property. The Constitution of India recognizes the right to property under Article 300A. The purchaser is none other than the writ petitioner's wife.



The purchaser through the counsel on record gives an undertaking that no housing development takes place in the land in question and any construction will be put up only after getting approval from the planning authority as per rules.

4. Recording aforesaid undertaking, the petitioner is permitted to re-present the document. The registering authority is directed to accept the same, register it and release the same subject to fulfilment of the other usual formalities. This writ petition stands allowed. No costs.

15.09.2025

NCS : Yes / No
Index : Yes / No
Internet : Yes/ No

PMU

To:

1. The District Registrar (Audit),
Tirunelveli.
2. The District Registrar(Administration),
Tirunelveli.
3. The Sub Registrar,
Panagudi, Tirunelveli.

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G.R.SWAMINATHAN,J.

PMU

W.P.(MD)No.25038 of 2025

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