



W.P(MD)No.26746 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 25.09.2025

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.26746 of 2025

1.V.Thangamani
2.V.Sreegunam Varatharajulu
*(P.2 is suo motu impleaded vide
order of this Court dated 25.09.2025)*

... Petitioners

Vs.

The Sub Registrar,
Radhapuram,
Tirunelveli 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 relating to the impugned refusal check slip issued by the respondent in refusal number:RFL/Radhapuram/32/2025 dated 06.06.2025 and to quash the same as illegal, arbitrary without jurisdiction and in violation of the provisions of the Registration Act, 1908 and consequently to direct the respondent to register the settlement deed dated 05.06.2025 upon representation, within stipulated time fixed by this Court.



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For Petitioners : Mr.B.Saravanan
Senior Counsel
for M/s.B.Saravanan Associates

For Respondent : Mr.G.V.Vairam Santhosh
Additional Government Pleader

ORDER

Heard both sides.

2.Thiru.Varatharajalu, husband of the first petitioner, settled 50 acres and 30 cents of land in favour of the first petitioner in the year 2009, vide Document No.8 of 2009 on the file of the respondent. Subsequently, the first petitioner sold 41.90 acres by parcelling the land to various parties over the years. The remaining extent is 8 acres and 40 cents. The first petitioner now intends to settle the said land to the second petitioner who is none other than her son. A settlement deed dated 05.06.2025 was executed and presented for registration. The registering authority, citing Section 22A of the Act, declined to register the document. Challenging the same, this writ petition has been filed.



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3.The only objection raised by the registering authority is that the first petitioner intends to develop the land in question. This objection can be very easily met. The second petitioner who is the settlee informs this Court through his counsel that the land in question will be developed, if at all, only after getting permission from the competent authority. In other words, no housing development will take place without adhering to the procedures laid down in the statues as well as the rules and regulations.

4.Recording the undertaking given by the petitioners herein, particularly the second petitioner, the impugned refusal check slip is quashed. The petitioners are permitted to re-present the document. It shall be registered and released subject to the fulfilment of the other usual formalities.

5.This Writ Petition is allowed accordingly. No costs.

25.09.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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G.R.SWAMINATHAN, J.

MGA

To

The Sub Registrar,
Radhapuram,
Tirunelveli District.

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