



WEB COPY



W.P.No.978 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.01.2026

CORAM

THE HONOURABLE MR.JUSTICE **SENTHILKUMAR RAMAMOORTHY**

W.P.No.978 of 2026

Nishanthini

.. Petitioner

VS

The Sub Registrar,
Pudhuchatram,
Namakkal District.

.. Respondent

Petition filed under Article 226 of The Constitution of India praying for the issuance of a writ of certiorarified mandamus to call for the impugned refusal check slip under Refusal No.RFL/PUDHUCHATRAM_NAMAKKAL/BOOK2/1 dated 05.01.2026 and to quash the same as illegal and consequently direct the respondent to entertain the sale deed.

For Petitioner : Mr.V.Karthikeyan
for Mr.K.Manikandan

For Respondent : Mr.U.Baranidharan,
Special Government Pleader

ORDER

The petitioner executed and presented a sale deed for registration. The request for registration was declined under the impugned order by invoking Section 22A(2) of the Registration Act, 1908.



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2. Learned counsel for the petitioner submits that the original intention was to form a lay out after obtaining approval. In relation thereto, he submits that a gift deed was executed in favour of the village panchayat for formation of a pathway. Since the DTCP approval was not obtained, he submits that the land remains as an agricultural land. He refers to the photographs enclosed with the sale deed as evidence that the land remains as an agricultural land. Therefore, he contends that the case does not fall within the scope of Section 22A(2) of the Registration Act, 1908.

3. Mr.U.Baranidharan, learned Special Government Pleader, accepts notice for the sole respondent. By relying on written instructions and the encumbrance certificate pertaining to Survey No.212/3, he submits that plots have been sold including Plot Nos.23 and 24. Therefore, he contends that there is sufficient basis to conclude that the petitioner is endeavouring to register the sale of a house site in an unapproved layout.

4. The impugned order sets out reasons for concluding that the sale is in respect of a house site in an unapproved lay out, including by drawing reference to sale of Plot Nos.23 and 24. In those circumstances, a factual enquiry would be warranted in order to ascertain whether the proposed sale is in respect of a house site



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in an unapproved layout. Learned counsel for the petitioner also relied on the patta to emphasise that it is an agricultural land. All these aspects can be conveniently considered in course of appellate proceedings. Therefore, without expressing any opinion on the merits, this writ petition is disposed of by leaving it open to the petitioner to file an appeal under Section 72 of the Registration Act 1908. If such appeal is presented within thirty days from the date of receipt of a copy of this order, such appeal shall be received and disposed of on merits. There shall be no order as to costs.

29.01.2026

Index:Yes/No
mmi

To

The Sub Registrar,
Pudhuchatram,
Namakkal District.



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