



W.P.(MD) No.1365 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.01.2026

CORAM

THE HONOURABLE MR. JUSTICE KRISHNAN RAMASAMY

W.P.(MD)No.1365 of 2026

1.S.Murugan

2.V.Sudalaimuthu

... Petitioners

Vs

The Sub-Registrar,
Melapalayam,
Tirunelveli.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned refusal check slip of the respondent in RFL/Melapalayam/16/2026, dated 08.01.2026 and quash the same and consequently direct the respondent to register the sale deed dated 24.12.2025 executed by the 1st petitioner in favour of the 2nd petitioner and release the same within the time frame fixed by this Court.

For Petitioners : Mr.H.Arumugam

For Respondent : Mr.M.Lingadurai,
Spl.Govt. Pleader



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ORDER

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This Writ Petition is filed challenging the impugned refusal check slip issued by the respondent in RFL/Melapalayam/16/2026, dated 08.01.2026 and seeking for a consequential direction, to direct the respondent to register the sale deed dated 24.12.2025 executed by the 1st petitioner in favour of the 2nd petitioner and release the same within the time frame fixed by this Court.

2. By consent, this Writ Petition is taken up for final disposal at the admission stage itself.

3. It is the case of the petitioner that the 1st petitioner sold 30.35 cents out of 55 cents to the 2nd petitioner and executed a sale deed on 24.12.2025. When the said sale deed was presented for registration, the same was refused to be registered on the ground that there is a bar under Section 22(A)(2) of the Registration Act, 1908 and directed the 1st petitioner to obtain approval. Challenging the same, the petitioner has filed this Writ Petition.



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4. The learned counsel appearing for the petitioner would submitted that the 1st petitioner has purchased the property as punja land and nearby the subject land, no plot is available. Therefore, the question of bar under Section 22A(2) of the Registration Act, 1908 will not come into picture. The learned counsel for the petitioner has referred a communication of the Inspector General of Registration dated 18.03.2020 in this regard.

5. The learned Special Government Pleader appearing for the respondent would submit that the subject property is a vacant land and therefore, the respondent has refused to register the same. Hence, he prays for dismissal of this Writ Petition.

6. Heard the learned counsel appearing on either side and perused the materials available on record.

7. On a perusal of the records, it is seen that the 1st petitioner intended to sell 30.35 cents out of 55 cents to the 2nd petitioner. When an agricultural land is sold as agricultural land, the question of forming layout and treating the same as plot will not come into picture.



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Therefore, there is no question of bar under Section 24A(2) of the Registration Act, 1908. In view of the same, this Court is of the considered view that the impugned order is passed without application of mind and therefore, the same is liable to be set aside.

8. Accordingly, the impugned refusal check slip issued by the respondent dated 08.01.2026 is set aside. The 1st petitioner is directed to represent the sale deed dated 24.10.2025 before the respondent and upon representation, the respondent is directed to register the same forthwith in accordance with law.

9. With the above observations, this Writ Petition is allowed.
There shall be no order as to costs.

22.01.2026

vsm
Index : Yes/No
NCC : Yes/No



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To

The Sub-Registrar,
Melapalayam,
Tirunelveli.



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KRISHNAN RAMASAMY, J.

vsm

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