



W.P.(MD) No.3590 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.02.2026

CORAM

THE HONOURABLE MR. JUSTICE KRISHNAN RAMASAMY

W.P.(MD)No.3590 of 2026

and

W.M.P.(MD).Nos.2926 and 2929 of 2026

P.K.Anbu Vijay Anandh

... Petitioner

Vs

1.The District Registrar,
O/o. The District Registrar,
Behind SLB School,
Nagercoil,
Kanyakumari District-629 001.

2.The Sub-Registrar,
O/o. The Sub Registrar,
Kottaram,
Kanyakumari District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to impugned Refusal Check Slip in RFL / Kottaram / Book/2/6/2025, dated 30.09.2025 on the file of the second respondent and quash the same as illegal and consequently to register the sale deed dated 24.09.2025 presented by the petitioner within the time limit stipulated by this Court.

For Petitioner

: Mr.M.Mahaboob Fazil,
M/s.Roy and Roy Associates



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For Respondents : Mr.M.Lingadurai,
Special Government Pleader

ORDER

The present writ petition has been filed challenging the impugned Refusal Check Slip in RFL/Kottaram/Book/2/6/2025 dated 30.09.2025, passed by the second respondent, and to quash the same as illegal and consequently to direct the second respondent to register the sale deed dated 24.09.2025 presented by the petitioner, within a time frame to be fixed by this Court.

2. The learned counsel appearing for the petitioner would submit that the subject plot was originally purchased in the year 2011 by the petitioner's sister for valuable consideration. Subsequently, the petitioner's sister executed a settlement deed in respect of the said house site in favour of the petitioner vide Settlement Deed No.2682 of 2023 dated 02.06.2023. Thereafter, the petitioner intended to sell the said property to third parties and accordingly presented a sale deed before the second respondent. However, the second respondent refused to register the same vide Refusal Check Slip dated 30.09.2025 on the ground that the subject land is an unapproved plot and that there is a bar under Section 22-A(2) of the Registration Act, 1908. Aggrieved by the same,



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the petitioner preferred a statutory appeal before the first respondent, which came to be dismissed mechanically, confirming the order of refusal passed by the second respondent. Hence, the present writ petition.

3. Per contra, the learned Special Government Pleader appearing for the respondents would submit that in the present case, as per the boundary description, a road has been formed on the northern side of the subject property and since the same forms part of an unapproved layout, the second respondent rightly refused registration.

4. This Court has considered the submissions made on either side and perused the materials available on record. A careful reading of the proviso to Section 22-A(2) of the Registration Act, 1908 makes it clear that the bar relating to unapproved layouts will not apply to plots purchased prior to the cut-off date, i.e., 20.06.2016. In the present case, it is not in dispute that the petitioner's sister purchased the property as early as on 28.10.2011. Out of the total extent of 11 cents, five cents was settled in favour of the petitioner under the settlement deed dated 02.06.2023. The petitioner is now seeking to alienate the said property by virtue of the sale deed dated 24.09.2025.



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5. Merely because certain developmental activities have taken place in and around the subject land and other plots are available in the vicinity, the respondents cannot invoke the bar under Section 22-A(2) of the Registration Act, when the original purchase was admittedly prior to the cut-off date. Further, as clarified by the Inspector General of Registration in the proceedings dated 18.03.2020, the bar under Section 22-A would apply only in cases where an unapproved layout consisting of more than eight plots is formed after the cut-off date. In the present case, there is no such formation of a new layout after the cut-off date.

6. Therefore, this Court is of the view that the impugned Refusal Check Slip has been passed without proper application of mind and is liable to be set aside.

7. Accordingly, the impugned Refusal Check Slip dated 30.09.2025 is set aside. The petitioner is directed to re-present the sale deed for registration, and upon such presentation, the second respondent is directed to register the same forthwith, if the document is otherwise in order.



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8. Accordingly, the writ petition stands allowed. No costs.

Consequently, connected miscellaneous petitions are closed.

10.02.2026

Index : Yes/No
Internet: Yes/No
Neutral Citation: Yes/No
TSG

To

1.The District Registrar,
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Behind SLB School,
Nagercoil,
Kanyakumari District-629 001.

2.The Sub-Registrar,
O/o. The Sub Registrar,
Kottaram,
Kanyakumari District.



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KRISHNAN RAMASAMY, J.

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