



W.P.(MD)No.4169 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.02.2026

CORAM

THE HONOURABLE **Mr. JUSTICE KRISHNAN RAMASAMY**

W.P.(MD)No.4169 of 2026

Kalaiselvam

...Petitioner

vs.

1. The District Registrar,
District Registrar Office,
Tenkasi, Tenkasi District.

2. The Sub Registrar,
Karivalamvanthanallur Sub Registrar Office,
Karivalamvanthanallur Tenkasi District.

3. Subendran

4. Saraswathi

...Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Certiorarified Mandamus to call for the entire relevant records in respect of the impugned order passed by the 2nd respondent in Refusal Number RFL/Karivalamvanthanallur/3/2026 dated 20.01.2026 and quash the same as illegal and consequently direct the respondents to register the sale deed produced by the petitioner.

For Petitioner : Mr.P.Ponraj

For Respondents : Mr.K.S.Selvaganesan,
Additional Government Pleader
for R1 and R2



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ORDER

This Writ Petition has been filed challenging the order passed by the second respondent in Refusal Number RFL/Karivalamvanthanallur/3/2026, dated 20.01.2026 and to direct the second respondent to register the sale deed presented by the petitioner.

2. The learned counsel appearing for the petitioner would submit that the third respondent acquired 20 cents of land by virtue of partition deed dated 21.12.2023. Now, the respondents 3 and 4 intend to settle 7.40 cents of land in favour of the petitioner by virtue of sale deed dated 20.01.2026 to meet out the medical expenses of their mother. When the sale deed was presented for registration, the second respondent refused to register the same by citing the reason that the subject property is an unapproved plot.

3. The learned Additional Government Pleader appearing for the respondents 1 and 2 would submit that since the subject property is an unapproved plot, the second respondent is not in a position to register the sale deed.

4. I have given due consideration to the submissions made on either sides.



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5. In the present case, the third respondent acquired 20 cents of land by virtue of partition deed dated 21.12.2023 and now, due to medical constraints, the respondents 3 and 4 intend to settle 7.40 cents of land in favour of the petitioner by virtue of sale deed dated 20.01.2026. While so, by citing the reason of bar under Section 22-A of the Registration Act, 1908, the second respondent refused to register the sale deed.

6. Bar under Section 22-A of the Registration Act, 1908, will come into operation when a layout is formed and unapproved plots are sold. In the present case, the third respondent acquired 20 cents of land and only a portion of that land (7.40 cents) is going to be sold in favour of the petitioner. Therefore, the question of formation of layout will not come into picture. In this regard, clarification was issued by the Inspector General of Registration on 18.03.2020, to the effect that, if the subject property is divided into more than 8 plots, then it can be considered as layout, in which case, there will be bar under Section 22-A of the Registration Act, 1908, for selling unapproved plots. In the present case, the respondents 3 and 4 intend to sell a portion of 20 cents of land which was acquired through partition deed. Hence, the bar under Section 22-A of the Registration Act, 1908, would not apply and therefore, the impugned order of the second respondent is liable to be set aside.



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7. Accordingly, the order passed by the second respondent in Refusal Number RFL/Karivalamvanthanallur/3/2026, dated 20.01.2026 is set aside. The petitioner is directed to re-present the sale deed dated 20.01.2026 and upon such re-presentation, the second respondent is directed to register the same forthwith, if it is otherwise in order.

8. In the result, this Writ Petition is disposed of. No costs.

16.02.2026

Speaking / Non-speaking order

Index : Yes/No

NCC : Yes/No

mbi

Note: Issue order copy on 17.02.2026

To

1. The District Registrar,
District Registrar Office,
Tenkasi, Tenkasi District.
2. The Sub Registrar,
Karivalamvanthanallur Sub Registrar Office,
Karivalamvanthanallur Tenkasi District.



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KRISHNAN RAMASAMY, J.

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