



WP(MD). No.4644 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Date : 19/02/2026

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The Hon`ble Mr.Justice KRISHNAN RAMASAMY

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A.Anubama

... Petitioner

Vs

1. The District Registrar,
Nagercoil,
Kanyakumari District..

2. Sub Registrar,,
Thucklay Sub Register Office,
Thuckalay,
Kanyakumari District..

... Respondents

PRAYER :-Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Certiorarified Mandamus, calling for the records relating to the Impugned Refusal Check Slip in No.RFL/Thuckalay/9/2026 Dated 12.01.2026 of the 2nd Respondent and quash the same and direct the 2nd respondent to register the Sale Deed dated 22.12.2025 executed by this petitioner.

For Petitioner : Mr.B.Rajesh Saravanan
For Respondent : Mr.A.Kannan
Addl. Government Pleader



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ORDER

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This writ petition has been filed challenging the refusal check slip dated 12.01.2026 issued by the 2nd respondent and to direct the respondent to register the sale deed dated 22.12.2025 presented by the petitioner for registration.

2. Heard the learned counsel for the petitioner and the learned Additional Government Pleader for the official respondent. By consent of both sides, the writ petition itself is taken up for final disposal at the stage of admission itself.

3. When the petitioner presented the sale deed for registration, the same was refused to be registered by the 2nd respondent on the ground that there is a bar under Section 22A of the Registration Act and hence, the sale deed could not be registered. challenging the said refusal, the petitioner is before this Court.

4. The learned counsel for the petitioner would submit that the petitioner's father purchased the property in question on 11.09.2020 and



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thereafter, the petitioner's father gifted to his children including the petitioner herein by virtue of the gift deed dated 11.07.2025. From the date of such settlement, the petitioner is in possession and enjoyment of the same. When the petitioner intended to sell the property in favour of one Nithya and presented the document for registration, which came to be registered on the ground that as per G.O.No.79 dated 04.05.2017, the document could not be registered and there is also a bar under Section 22A of the Registration Act.

5. Per contra, the learned Special Government Pleader would submit that during internal auditing, it came to light that the property in question is against G.O.No.79 and there is a bar under Section 22A and hence, the document came to be refused to be registered.

6. I have considered the rival submissions and perused the materials available on record.

7. It appears that in the present case, the petitioner intends to execute a sale deed for 6 cents of land, which she acquired by way of gift



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from her father. However, it is the stand of the 2nd respondent that the petitioner's father initially gifted 21 cents of land out to his children. The bar under Section 22A(2) would apply only when layout is formed. In the circular/clarification issued by the Inspector General of Registration dated 16.03.2020, referring to G.O.(Ms)No.78, Tamil Nadu Housing and Urban Development Department, dated 04.05.2017, the term “layout” has been defined to mean that if more than eight plots are formed in the Metropolitan area, it amounts to the formation of a layout, and no such definition is provided with regard to other areas. Since the layout is not defined for any area other than Metropolitan area, the definition provided in G.O.(MS)No.78 for the word “layout” can be safely apply for other areas as well. The same definition shall be applied to the petitioner's case. Now the petitioner is only selling the gifted property. Therefore, at no stretch of imagination, one could construe that the petitioner is selling a plot out of the unapproved layout. Further, the subject property is an inherited property of the petitioner and she intended to sell the same. Hence, the question of invoking the bar under Section 22A of the Registration Act, 1908 does not arise in the present case. Therefore, the impugned order is liable to be set aside. Therefore, while setting aside the



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impugned order, the petitioner is directed to represent the sale deed dated 22.12.2025 and upon such representation, the 2nd respondent shall register the same forthwith, if the same is otherwise in order.

8. The writ petition is disposed of with the above direction. No costs.

19.02.2026

NCC : Yes/No

Index : Yes/No

RR

TO

1. The District Registrar,
Nagercoil,
Kanyakumari District..

2. Sub Registrar,,
Thucklay Sub Register Office,
Thuckalay,
Kanyakumari District..



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KRISHNAN RAMASAMY, J

RR

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