



W.P.(MD)No.4488 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **19.02.2026**

CORAM

THE HONOURABLE **Mr. JUSTICE KRISHNAN RAMASAMY**

W.P.(MD)No.4488 of 2026

S.Sivakumar

...Petitioner

vs.

The Sub Registrar,
Radhapuram Sub Registrar Office,
Tirunelveli District.

...Respondent

Prayer: Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the order passed by the respondent in his proceedings in RFL/Radhapuram/88/2025 dated 10.12.2025 and quash the same and direct the respondent to register the sale deed.

For Petitioner : Mr.V.Panneer Selvam

For Respondent : Mr.V.Omprakash,
Government Advocate

ORDER

This Writ Petition has been filed challenging the impugned order passed by the respondent in RFL/Radhapuram/88/2025, dated 10.12.2025 and to direct the respondent to register the sale deed.



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2. Mr.V.Omprakash, learned Government Advocate takes notice for the respondent.

3. By consent on either sides, this Writ Petition is taken up for final disposal at the admission stage itself.

4. The learned counsel appearing for the petitioner would submit that the petitioner's vendor, one Sheela purchased 35.5 cents of land from one Ragupathy, out of 1 acre 17 cents owned by the said Ragupathy. Now the petitioner intends to purchase 5 cents of land from the said Sheela. As on date, the subject property is classified as agricultural punja land. While so, when the petitioner presented the sale deed dated 10.12.2025, the respondent refused to register the same citing the reason that the subject property (5 cents) is converted into a plot and hence, there is a bar under Section 22-A of the Registration Act. However, the learned counsel, by referring to the clarification issued by the Inspector General of Registration on 18.03.2020 and 16.03.2020, would submit that if the subject property is divided into more than 8 plots, then only, there will be bar under Section 22-A of the Registration Act to register the sale deed.



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5. The learned Government Advocate appearing for the respondent would submit that 5 cents of land is going to be purchased by the petitioner. Therefore, the subject property is converted to a plot and hence, there is a bar under Section 22-A of the Registration Act, 1908.

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

7. In the present case, there is no dispute on the aspect that the petitioner intends to purchase 5 cents of land and the petitioner's vendor is in possession of 35.5 cents of punja land. Therefore, only a portion of 35.5 cents of land is going to be sold to the petitioner. Section 22-A of the Registration Act talks about formation of layouts. As per the clarification issued by the Inspector General of Registration dated 18.03.2020 and 16.03.2020, in the event, more than 8 plots are formed, then it can be considered as layout, in which case, bar under Section 22-A of the Registration Act, 1908, would come into picture. Such being the case, at no stretch of imagination, the respondent could assume or presume that purchasing a portion of 35.5 cents will be barred under Section 22-A of the Registration Act, so as to refuse the registration of the sale deed. Therefore, this Court is of the opinion that the impugned refusal check slip was issued



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without application of mind and the same is liable to be set aside.

Accordingly, the impugned refusal check slip issued by the respondent dated 10.12.2025 is set aside.

8. In the result, this Writ Petition is allowed. The petitioner is directed to re-present the sale deed to the respondent and on such re-presentation, the respondent is directed to register the same forthwith, if it is otherwise in order. No costs.

19.02.2026

Speaking / Non-speaking order

Index : Yes/No

NCC : Yes/No

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To

The Sub Registrar,
Radhapuram Sub Registrar Office,
Tirunelveli District.



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KRISHNAN RAMASAMY, J.

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