



W.P(MD)No.5531 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 02.03.2026

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THE HONOURABLE MR JUSTICE D.BHARATHA CHAKRAVARTHY

W.P(MD)No.5531 of 2026

Nagarajan

... Petitioner

Vs.

1.The District Registrar
District Registrar Office
Tenkasi District.

2.The Sub Registrar
Kadayanallur Sub Registrar Office
Kadayanallur
Tenkasi District.

...Respondents

Writ Petition is filed under article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents to return the original registered Sale Deed dated 22.01.2024 bearing Document No. 228/2024 registered at Kadayanallur Sub-Registrar Office to the petitioner within time frame to be fixed by this Court.

For Petitioner :Mr.R.Mathava Selvam

For Respondents :Mr.F.Deepak
Special Government Pleader



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ORDER

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The writ petition is filed for a Mandamus directing the respondents to return the original registered sale deed dated 22.01.2024 bearing Doc.No. 228/2024 registered at Kadayanallur Sub-Registrar Office to the petitioner within a time frame to be fixed by this Court.

2.The contention of the petitioner is that the petitioner had duly paid the stamp duty and registration charges at the time of registration. Even thereafter, when the classification of the agricultural property was not accepted and when further amounts were directed from the petitioner, the petitioner duly paid the deficit stamp duty on 07.02.2024 itself amounting to Rs.2,03,150/-. Even thereafter, the document is not released and therefore, the petitioner is before this Court.

3.*Per contra*, the learned Special Government Pleader for the respondents by placing on record the written instructions received by him, dated 02.03.2026, would submit that upon the registration of the property, when the concerned Official inspected the property, it was found that the building was of a different type and the land was also plotted out and therefore, it was opined that it cannot be taken as the agricultural property and should be treated as plot abutting the superstructures. The petitioner readily



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agreed and paid the balance on his own on 07.02.2024 by calculating it on the plot basis, but however, the inspection of the superstructure could not be carried on, because of the dispute between the parties. The person, whoever is in occupation of the superstructure, is not allowing the officials. Even the latest attempt that is sought to be made with police protection was met with resistance and it is stated that already a civil suit is filed in O.S.No.203 of 2025 and the case is pending and they are not permitting the Officer to make the inspection.

4.I have considered the rival submissions made on either side and the material records of the case.

5.As far as the petitioner is concerned, he has duly presented the document and paid the duty. If it is the interest of the Revenue that they have to carry out an inspection and demand the additional duty, if any and if anybody is preventing them from carrying out the inspection, it is for them to get appropriate police protection and decide the issue and demand the balance amount from the petitioner. The respondent authorities have neglected to do the same for the past two years. Even on the latest visit, it is only stated that the suit is filed and pending. There is no interim order on the file of the civil Court. Merely because the occupant therein has filed a civil suit, that will not



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prevent the statutory authority from only inspecting the property, taking the measurements and assessing the value of the property. The Authority is not concerned about any title dispute or as to who is in possession of the property etc., All that is with the stamp duty and the registration charges payable.

6.In view thereof, for the past two years, the authorities have not bothered themselves to arrive at the value of the land and ask for the balance, if any, especially when the petitioner himself has agreed and paid the deficit amount of Rs.2,03,150/-, I am of the view that they can no longer hold the documents.

7.In view thereof, this Writ Petition is disposed of on the following terms:-

It would be open for the inspecting authority to forthwith conduct the inspection and arrive at any value and raise a demand in the manner known to law, but however, the Doc.No.228/2024, dated 22.01.2024, shall be released to the petitioner forthwith on production of the web copy of this order, without waiting for the certified copy of this order. No costs.

02.03.2026

NCC : Yes / No



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To
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District Registrar Office
Tenkasi District.

2.The Sub Registrar
Kadayanallur Sub Registrar Office
Kadayanallur
Tenkasi District.



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D.BHARATHA CHAKRAVARTHY, J.

mm

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