



WP(MD). No.5449 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : **27.02.2026**

CORAM

THE HONOURABLE MR. JUSTICE KRISHNAN RAMASAMY

WP(MD). No.5449 of 2026
and W.M.P.(MD)No.4571 of 2026

Kennady Raja

... Petitioner

Vs

1. The District Registrar,
Kanyakumari District,
Kanyakumari.

2. The Sub Registrar,
Kottaram Sub-Registrar Office,
Kottaram,
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 to call for the records pertaining to the Impugned Refusal Check Slip in RFL/Kottaram/19/2026 dated 19.02.2026 on the file of the 2nd respondent and quash the same as illegal and consequently directing the 2nd respondent to register the sale deed dated 16.02.2026 in respect of the Property comprised in Old Survey No. 28/2 and New Survey No. 28/11, in patta No.10012 in an extent of 20 cents, situated at Leepuram Village, Agastheeswaram Taluk, Kanyakumari District within the time stipulated by this Court.



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For Petitioner : Mr.I.Pinaygash

For Respondents : Mr.M.Lingadurai,
Spl. Govt. Pleader

ORDER

This Writ Petition is filed challenging the impugned refusal Check Slip in RFL/Kottaram/19/2026 dated 19.02.2026 on the file of the 2nd respondent and also seeking for a consequential direction, directing the 2nd respondent to register the sale deed dated 16.02.2026 in respect of the Property comprised in Old Survey No. 28/2 and New Survey No. 28/11, in patta No.10012 in an extent of 20 cents, situated at Leepuram Village, Agastheeswaram Taluk, Kanyakumari District within the time stipulated by this Court.

2. By consent, this Writ Petition is taken up for final disposal at the admission stage itself.

3. The grievance of the petitioner is that when the petitioner presented a sale deed for registration, the same was refused to be



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registered on the ground that there is a bar under Section 22A of the Registration Act, 1908. Challenging the same, the petitioner has filed this Writ Petition.

4. The learned counsel appearing for the petitioner would submit that the petitioner's vendor originally owned a total extent of 36 cents, out of which 20 cents were sold in the year 2023, which document was duly registered by the very same Sub Registrar. After registering the said document, the respondent refused to register the sale deed presented by the petitioner, citing a bar under Section 22A of the Registration Act, 1908. Therefore, the impugned order is liable to be set aside.

5. The learned Special Government Pleader appearing for the respondents would fairly submit that since a portion of the subject property was sold in the year 2023, the bar under Section 22A would not arise.

6. Considering the facts and circumstances of the case and as rightly submitted by the learned counsel appearing on either side, since a portion of the subject property was sold in the year 2023, the bar under



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Section 22A would not arise. Therefore, this Court finds no impediment for the second respondent to register the same. Hence, the impugned order is liable to be set aside.

7. Accordingly, the impugned order is liable to be set aside. The petitioner is directed to represent the sale deed before the 2nd respondent. Upon receipt of the same, the 2nd respondent is directed to register the same forthwith.

8. With the above observation, this Writ Petition is allowed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

27.02.2026

Index : Yes/No

NCC : Yes/No

vsm



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TO

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Kanyakumari District,
Kanyakumari.
2. The Sub Registrar,
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KRISHNAN RAMASAMY, J.

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