



W.P.(MD) No.5756 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.03.2026

CORAM

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.(MD) No.5756 of 2026

Subramanian

... Petitioner

Vs.

1.The Sub-Registrar,
Pettai Sub Registrar Office,
Tirunelveli, Tirunelveli District.

2.Fathima Nasrin

3.The Divisional Engineer,
Highways Department,
Tirunelveli,
Tirunelveli District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorarified Mandamus, to call for the records relating to first respondent's proceedings made in Refusal Check Slip, Refusal Number: RFL/Pettai/32/2026, dated 19.02.2026, quash the same and further, direct the first respondent to register the Sale Deed dated 19.02.2026 within a stipulated period as may be fixed by this Court.

For Petitioner : Mr.R.Sundar

For R1 & R3 : Mr.F.Deepak
Special Government Pleader



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ORDER

WEB COPY This Writ Petition is filed challenging the impugned refusal check slip dated 19.02.2026.

2. Upon hearing the learned counsel for the petitioner and perusing the material records of the case, it is the case of the petitioner that he presented the sale deed for registration. In the sale deed itself, he has categorically mentioned that a portion of the property has been acquired for highway purposes and that he is selling only the remaining portion of the property. However, merely because the Highways Authority had generally mentioned the survey number without specifying the extent, the refusal check slip has now been issued.

3. When the matter came up for hearing, the learned Special Government Pleader, taking notice on behalf of the first and third respondents, would submit that if the petitioner approaches the National Highways Authorities, they are ready to issue a No Objection Certificate in respect of the portion which has not been acquired and has not vested with the Highways Department and thereafter the Sale Deed can be registered.



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4. When the entire extent of the petitioner's land has not been acquired, asking the petitioner to approach the National Highways Authority and obtain a No Objection Certificate is not proper. Therefore, the impugned refusal check slip is set aside. The first respondent, Sub-Registrar, shall conduct an enquiry on the sale deed that has already been presented for registration by issuing notice to both the petitioner as well as the Highways Department. The officers of the Highways Department may appear before the first respondent, Sub-Registrar and verify as to whether any portion of the acquired land belonging to them is being conveyed. If it is verified that no portion belonging to them is conveyed, the sale deed shall be registered accordingly. The said process shall be completed within a period of three weeks from the date of receipt of a web copy of this order.

5. With the above observations, this Writ Petition is disposed of. No costs.

03.03.2026

JEN
Neutral Citation : No



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To

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WEB COPY



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D.BHARATHA CHAKRAVARTHY, J.

JEN

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