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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29-10-2026

CORAM

THE HON'BLE MR. JUSTICE K.KUMARESH BABU

WP(MD) No. 30941 of 2026

CNR:{HCMD011534972026}

and

WMP(MD)Nos.23726 and 23727 of 2026

Prakash

..Petitioner(s)

Vs

1. The District Registrar,
   Madurai, Madurai District.

2. The Assistant Director of Town
   and Country Planning,
   O/o. the Town and Country Planning,
   Koodal Pudur, Madurai,
   Madurai District.

3. The Sub-Registrar,
   Nagamalai Pudukottai,
   Madurai.

..Respondent(s)

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 order passed by the 2nd respondent in his proceedings in ந.க.எண்.3618/2025/மதி5 dated 28.07.2026 and the consequential impugned Refusal Check slip issued by the 3rd respondent in his proceedings in Refusal Number RFL/நாகமலை புதக்கோட்டை/39/2026 dated 22.09.2026 and quash the same as illegal and consequentially to direct the 3rd respondent to register and release the

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sale deed presented by the petitioner vide pending Document No in TP/309574522/2026 dated 22.09.2026 within the period that may be stipulated by this Court.

For Petitioner(s) : Mr.M.Ajmal Khan
Senior Counsel
for M/s.Ajmal Associates

For Respondent(s) : Mr.I.Pinaygash
Special Government Pleader
for R-1 & R-3
Mr.T.Thirumurugan
Special Government Pleader for R-2

ORDER

By consent of both sides, this Writ Petition is taken up for final disposal.

2. This Writ Petition has been filed challenging the order passed by the second respondent in his proceedings in ந.க.எண்.3618/2025/மதி5 dated 28.07.2026 and the consequential impugned refusal check slip issued by the third respondent in his proceedings in Refusal Number RFL/நாகமலை புதக்கோட்டை/39/2026 dated 22.09.2026 and consequently, to direct the third respondent to register and release the sale deed presented by the petitioner vide pending Document No in TP/309574522/2026 dated 22.09.2026.

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3. A refusal check slip had been issued assigning a reason that a restriction for registration of document in respect of a layout approved was communicated by the Assistant Director of Town and Country Planning, Madurai/second respondent herein. The communication sent by the second respondent to the third respondent is also placed on record. A perusal of the said communication would indicate that a complaint had been received from the third parties that the developer had not provided a pathway to reach their property and in that regard, registration of documents in an approved layout was sought to be restrained.

4. It is the duty of the Town and Country Planning Authority to grant approval in accordance with law. The Tamil Nadu Town and Country Planning Act, 1971, also formulates that such approval should be subject to providing a pathway to the adjacent land owners and when such approval has been validly granted, a purchaser of a layout from the developer cannot be restrained from dealing with the property in his own rights. In that regard, when the layout approval has been acted upon by the developer and the lands have been sold to various parties including the petitioner, who now seeks to register the layout, the approval cannot be revisited by the Town and Country Planning authorities. Hence, the objection raised by the Town and Country Planning Authority is

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unsustainable and the reasoning assigned for refusing registration of the sale deed is also erroneous.

5. In view of the above discussion, the impugned orders are set aside and the Writ Petition stands allowed. The petitioner is directed to re-present the document and on such re-presentation, the third respondent is directed to receive and register the same, if it is otherwise in order, in accordance with law. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

29-10-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

Lm

To
1. The District Registrar,
   Madurai, Madurai District.

2. The Assistant Director of Town
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   O/o. the Town and Country Planning,
   Koodal Pudur, Madurai,
   Madurai District.

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K.KUMARESH BABU, J.

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