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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02-11-2026

CORAM

THE HON'BLE MR. JUSTICE **K.KUMARESH BABU**

W.P.(MD)No.31069 of 2026

CNR:{HCMD011539972026}

Case QR

AND

W.M.P(MD)Nos.23859 and 23861 of 2026

R.Prabhu

..Petitioner(s)

Vs

1. The Assistant Director/Member Secretary,
   Director of Town and Country Planning Office,
   Madurai-625 017.

2. The Sub Registrar,
   Nagamalai Pudukottai Sub Registrar Office,
   Madurai.

3. S.Rajagopal

..Respondent(s)

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 of the impugned order in Na.Ka.3617/2025/mathi5 dated 30.07.2026 on the file of the 1st Respondent and consequential order in Refusal No.RFL/Nagamalai Pudukottai/40/26 on the file of the 2nd Respondent and quash the same and further directing the 2nd respondent to register the sale deed 21.09.2026 executed by the petitioner and submitted for registration on 23.09.2026.

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For Petitioner :Mr.G.Prabhu Rajadurai
For Respondent :Mr.I.Pinaygash
Special Government Pleader

ORDER

The present Writ Petition has been filed in the nature of a Writ of Certiorarified Mandamus challenging the impugned order dated 30.07.2026 issued by the first respondent and consequential order in Refusal No.RFL/Nagamalai Pudukottai/40/26 on the file of the second respondent and to direct the second respondent to register the sale deed 21.09.2026 executed by the petitioner and submitted for registration on 23.09.2026.

2. Heard the learned Counsel on either side. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage. In view of the order proposed to be passed, notice to the third respondent is dispensed with.

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/first respondent herein. The communication sent by the first respondent to the second respondent is also placed on record. A

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perusal of the said communication would indicate that a complaint had been received from 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 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

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re-present the document and on such re-presentation, the second 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.

02-11-2026

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

cmr

To

1. The Assistant Director/Member Secretary,
   Director of Town and Country Planning Office,
   Madurai-625 017.

2. The Sub Registrar,
   Nagamalai Pudukottai Sub Registrar Office,
   Madurai.

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K.KUMARESH BABU, J.
cmr

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