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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14-10-2025

CORAM

**THE HONOURABLE MR JUSTICE S. M. SUBRAMANIAM
AND
THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN**

WA Nos. 2070 & 2482 of 2025

and

WP No. 13416 of 2025

and

CMP Nos. 15695 & 19189 of 2025 & WMP No. 15036 of 2025

WA.No.2070 of 2025:

The Commissioner
Kancheepuram City Municipal
Corporation,
Kancheepuram District- 631 502.

Appellant(s)

Vs

1.K.Srinivasan

2.The Inspector General of
Registration
100, Santhome High Road, Mullima
Nagar, Mandavelipakkam, R.A.Puram,
Chennai-28



WA Nos. 2070 & 2482 of 2025
& WP No.13416 of 2025



3.The District Registrar
Kancheepuram.

4.The Sub Registrar, Joint 4
Kanchipuram Sub-Registrar Office,
Kamarajar Road, Taluk Office Campus,
Kanchipuram-631501

Respondent(s)

WA No. 2482 of 2025

1.The Inspector General of
Registration
100, Santhome High Road,
Mullima Nagar, Mandavelipakkam,
R.A.Puram, Chennai -600 028.

2.The District Registrar
Kancheepuram.

3.The Sub-Registrar,
Joint 4, Kanchipuram Sub-Registrar
Office, Kamarajar Road, Taluk Office
Campus, Kanchipuram -631 501.

Appellant(s)

Vs

K.Srinivasan

Respondent(s)

WP No. 13416 of 2025

1.K.K.Nagar, Karpagam Avenue,
K.K.Nagar Extension, Balu Colony,
Residents Welfare Association,



Rep. by the President R.Nirmal Kumar,
S/o.Rajagopal, Residing at No.36 B,
Karpagam Avenue, Vellingapattarai,
Orikai Post, Kanchipuram-631 502.

Appellant(s)

Vs

1.The District Collector
Kanchipuram District.

2.The District Registrar,
Kanchipuram District.

3.The Sub Registrar, Joint-4
Kanchipuram, Kanchipuram District.

4.The Commissioner
The City Municipal Corporation,
Kanchipuram.

5.Jeevalakshmi
6.K.Karthikeyan
7.K.Kavitha
8.E.Valayapathy
9.K.Srinivasan

Respondent(s)

WA No. 2070 of 2025

PRAYER

Writ Appeal filed under Clause 15 of Letters Patent, to set aside the order dated 12.12.2024 in W.P. No.37237 of 2024.

WA No. 2482 of 2025

PRAYER

Writ Appeal filed under Clause 15 of Letters Patent, to set aside the order dated 12.12.2024 made in WP.No.37237 of 2024.



WP No. 13416 of 2025

PRAYER

Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, Prohibiting the 2nd and 3rd respondents from carrying out any registration pertaining to the old Survey Nos.9/1 and 10/2A and the new Survey No.10/2A1A1A1 in Vellingapatarai Village, Kancheepuram Taluk and District as the same has been reserved for a park and playground and was conveyed through a Gift Deed (Doc No.1139/1992, dated 25.05.1992) in favour of the local authority.

WA No. 2070 of 2025

For Appellant(s): Mr.RA.Gopinath

For Respondent(s): Mr.T.D.Selvam Babu For R1
Mr.U.Baranidharan, SGP
For R2 to R4

WA No. 2482 of 2025

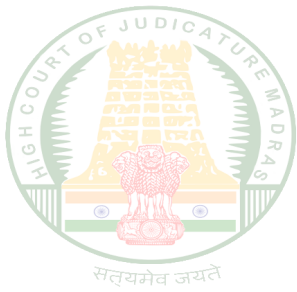
For Appellant(s): Mr.U.Baranidharan, SGP

For Respondent(s): Mr.T.D.Selvam Babu

WP No. 13416 of 2025

For Appellant(s): Mr.V.Subramanian

For Respondent(s): Mr.Vadivelu Deenadayalan, AGP
For R1
Mr.U.Baranidharan, SGP
For R2 & R3
Mr.RA.Gopinath For R4
R5-Died
No Appearance For R6 to R8
Mr.T.D.Selvam Babu For R9



J U D G M E N T

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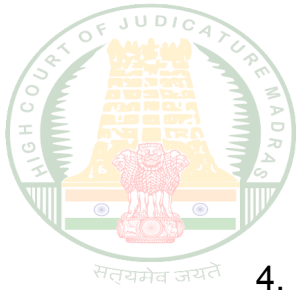
(Judgment was delivered by S.M.Subramaniam J.)

Under assail is the order dated 12.12.2024 in W.P.No.37237 of 2024.

The respondent Mr.K.Srinivasan is the writ petitioner.

2. Writ petition has been instituted challenging the refusal check slip issued by the registering authority as well as the appellate order passed by the District Registrar Administration, Kancheepuram.

3. The subject property involved in the present appeal measures 9,328 Sq.ft and is comprised in S.No.10/2A1A1A1 at Velingapattarai Village, Kancheepuram District. The 1st respondent presented a sale deed dated 10.04.2023, for registration under the Registration Act, 1908. The Sub-Registrar, Kancheepuram, during verification, found that the house site had not been approved by the competent planning authority and patta does not stand in the name of the executor of the document. Thus, the refusal check slip was issued.



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4. The 1st respondent preferred an appeal under Section 72 of the Registration Act. The District Registrar elaborately conducted an inquiry by affording opportunity to the parties. During the course of inquiry, it was found that the subject property belongs to Kancheepuram City Municipal Corporation and patta had been granted in the name of Kancheepuram City Municipal Corporation by the Sub-Collector in his proceedings dated 18.05.2020.

5. Since the subject property has been classified as park in the layout and the patta has already been transferred in the name of Kancheepuram City Municipal Corporation, the refusal check slip issued by the Sub-Registrar was confirmed by the District Registrar in the appellate order issued under Section 72 of the Registration Act, 1908.

6. Writ Court has adjudicated the civil rights of the parties with reference to the decree passed in O.S.No.136 of 2013. However, Kancheepuram City Municipal Corporation is not a party in the said civil suit. Therefore, the finding made by the Writ Court against Kancheepuram City Municipal Corporation



cannot be taken into consideration.

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7. As far as the refusal check slip is concerned, it is with reference to the provisions of the Registration Act and the Rules framed thereunder. Neither the registering authority nor the Writ Court is empowered to adjudicate title disputes in the matter of registration of document. The Act requires that the presentant of the document has to establish their identity for registration.

8. In the present case, the registering authority found that the house site was not approved by the competent planning authority and the patta does not stand in the name of the executor and thus, registration was refused.

9. Proviso Clause to Section 22-A of the Registration Act, 1908, in unequivocal terms reiterates that the house sites without such permission may be registered if it is shown that the same house site has been previously registered as house site. Therefore, instruments relating to the transfer of ownership of land converted as house sites without the permission of such land for development from the planning authority can be refused by the



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registering authority. However, if the said house site has been already registered as a house site prior to 19.10.2016, there is no impediment for registering the said house site. The cut-off date has been fixed in the Regularisation Rules issued by the Government in G.O.Ms.No.78, Housing and Urban Development [UD4(3)] Department dated 04.05.2017. Amendment to Section 22-A came into force in the year 2012 and the Government granted four years time to regularise registrations without planning approval from the authorities. Therefore, any subsequent registration of house sites must be undertaken only if the house site is approved by the competent planning authority under the relevant provisions of the statute.

10. The learned counsel for the 1st respondent would submit that at the time presenting the sale deed for registration, he produced patta standing in the name of his predecessor in title.

11. However, the learned counsel appearing for Kancheepuram City Municipal Corporation would submit that subsequently, after forming the layout, the subject property has been classified as a park and the patta has



been transferred in the name of Kancheepuram City Municipal Corporation in the year 2021.

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12. Pertinently, the subject land has already been gifted through a registered gift deed in favour of Kancheepuram City Municipal Corporation. Therefore, the land absolutely vests with Kancheepuram City Municipal Corporation. The gift was executed in view of the layout approval granted under the provisions of the Tamil Nadu Town and Country Planning Act, 1971.

13. In view of the fact the subject land has been classified as park and gifted in favour of Kancheepuram City Municipal Corporation vide gift deed dated 25.05.1992 (Document No.1130 of 1992) and patta has been transferred in the name of Kancheepuram City Municipal Corporation, the refusal check slip as well as the appellate order passed by the District Registrar (Administration) is in accordance with the provisions of the Registration Act, 1908.

14. This Court does not find any infirmity in respect of the refusal of the



document presented by the 1st respondent for registration. Consequently the

writ order dated 12.12.2024 in W.P.No.37237 of 2024, is set aside and Writ

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Appeals stand allowed.

15. In view of the orders passed in W.A.Nos.2070 & 2482 of 2025, no further adjudication needs to be undertaken in respect of the relief sought in W.P.No.13416 of 2025 and the same stands disposed of.

The connected Miscellaneous Petitions are closed. There shall be no order as to costs.

(S.M.SUBRAMANIAM J.)(M.JOTHIRAMAN J.)

14-10-2025

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

Jeni

To



1.The Inspector General of
Registration

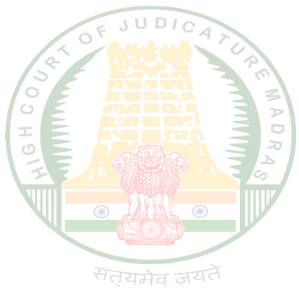
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Kanchipuram.



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S.M.SUBRAMANIAM J.
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