



W.P(MD)No. 36103 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED :17.12.2025

CORAM:

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.P(MD)No. 36103 of 2025

and

W.M.P.(MD) No.28687 of 2025

M.Sahaya Malar Mala

... Petitioner

Vs

The Sub-Registrar,
Kottaram Sub Registrar Office,
Kottaram,
Kanyakumari District.

... Respondent

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 entire records pertaining to the impugned refusal check slip in RFL/Kottaram/127/2025 dated 05.12.2025 issued by the respondent and to quash the same as unconstitutional and illegal, consequently, direct the respondent to register the sale deed document dated 05.12.2025 forthwith.

For Petitioner : Mr. B.Vinothkumar

For Respondent : Mr.K.S.Selvaganesan
Additional Government Pleader



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ORDER

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Challenge was made against the impugned refusal check slip in RFL/Kottaram/127/2025 dated 05.12.2025 issued by the respondent.

2. The learned counsel for the petitioner submits that the petitioner has executed a sale deed on 05.12.2025. However, the respondent has rejected registering the same, stating that without getting any layout approval, the petitioner is trying to sell the subject land.

3. The learned counsel, however, submits that initially the subject plot was purchased by the petitioner's husband as an unapproved plot on 23.10.2013. Thereafter, the petitioner's husband executed a settlement deed in favour of the petitioner on 17.02.2023 for an unapproved plot. However, now the respondent refused to register the same. Hence, this case.

4. The learned Additional Government Pleader for the respondent submits that in the sale deed, it has been mentioned about the formation of road. Therefore, unless the approval is obtained, even if there was a



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proposal to form a road, the plot cannot be registered. Hence, this impugned order was passed.

5. I have considered the submissions on both sides and perused the materials on record.

6. In the present case, initially the petitioner's husband purchased an unapproved plot on 23.10.2013 and thereafter, the said plot was settled in favour of the petitioner on 17.02.2023. There was no objection to registering the same. However, now, they are making objection to registering the said plot, stating the reason that there is a proposal to form a road. This Court feels that without any approach road, no one would purchase the said land and hence, the stand taken by the respondent with regard to the formation of the road is contrary. However, the same has not been registered by showing the provisions under Section 22A(2) of the Registration Act, 1908. Such being the case, the unapproved plot was registered on 23.10.2013 itself and hence, the provisions under Section 22A(2) of the Registration Act, 1908 are not a bar to registration. Therefore, without application of mind, the present impugned order is



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passed and hence, it is liable to be set aside and accordingly, is set aside.

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7. The petitioner is directed to represent the sale deed dated 05.11.2023. Upon representation, the respondent is directed to register the same, if it is otherwise in order forthwith without any further delay and report the same to this Court on 23.01.2026.

8. With these observations and directions, this Writ Petition is allowed. No costs. Consequently, connected miscellaneous petition is closed. **Post the case for reporting compliance on 23.01.2026.**

NCS : Yes/No
Index : Yes / No
Internet : Yes / No
apd

17.12.2025

To
The Sub-Registrar,
Kottaram Sub Registrar Office,
Kottaram,
Kanyakumari District.



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KRISHNAN RAMASAMY.,J.

apd

ORDER MADE IN

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