



WP(MD). No.31572 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : **19.02.2026**

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THE HONOURABLE MR. JUSTICE **KRISHNAN RAMASAMY**

**WP(MD) No.31572 of 2025**

Latha

... Petitioner

Vs

The Sub Registrar,  
Registration Department,  
Chettikulam  
Sub Registrar Office (Madurai North),  
Madurai District..

... Respondent

**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 impugned check slip in RFL/chttikulam (Madurai the North) 151/2025 dated 29.10.2025 issued by the respondent and quash the same and consequently direct the respondent to receive the settlement deed dated 28.10.2025 executed by the petitioner in favour of her husband and register the same and release the document presented by the petitioner as per the Registration Act 1908, within a time frame.



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For Petitioner : Mr.M.Maruthupandian,

For Respondent : Mr.K.S.Selvaganesan,  
Addl. Govt. Pleader

## **ORDER**

This Writ Petition is filed challenging the impugned refusal check slip issued by the respondent dated 29.10.2025 and also seeking for a consequential directing, directing the respondent to receive the settlement deed dated 28.10.2025 executed by the petitioner in favour of her husband and register the same and release the document presented by the petitioner as per the Registration Act 1908, within a time frame.

2. According to the petitioner, the subject property is the ancestral property of the petitioner and the petitioner constructed a house in the subject property after getting building plan approval from local authorities and the petitioner has been living in the said house along with her family. While being so, the petitioner intended to settle the above said house to the petitioner's husband and therefore, she has executed a



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settlement dated 28.10.2025. Thereafter, when the petitioner was presented the said settlement deed for registration, the same was refused to be registered and issued the impugned refusal check slip stating that the above mentioned house is situated at unapproved/not regularised house site and therefore, there is a bar under Section 22A(2) of the Registration Act, 1908. Challenging the same, the petitioner has filed this Writ Petition.

3. The learned counsel appearing for the petitioner would submit that the petitioner constructed a house on the subject property after obtaining approval from the local authorities and has been in occupation of the said house for more than a decade and therefore, the question of a bar under Section 22A(2) would not arise. Hence, he prays for setting aside the impugned order.

4. The learned Additional Government Pleader appearing for the respondent would submit that since the house is situated in an unapproved house site, the impugned order came to be passed. Therefore, he prays for dismissal of this Writ Petition.

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5. This Court heard the submissions made by the learned counsel appearing on either side and perused the materials available on record.

6. On a perusal of the records, it is seen that the subject property is the inherited property of the petitioner and the petitioner out of love and affection, has executed a settlement deed dated 28.10.2025. Under these circumstances, the respondent refused to register the settlement deed citing the reason that there is a bar under Section 22A(2) of the Registration Act, 1908. The bar under Section 22A(2) would apply one when layout is formed. In the circular/clarification issued by the Inspector General of Registration dated 16.03.2020, referring to G.O. (Ms)No.78, Tamil Nadu Housing and Urban Development Department, dated 04.05.2017, the term “layout” has been defined to mean that if more than eight plots are formed in the Metropolitan area, it amounts to the formation of a layout, and no such definition is provided with regard to other areas. Since the layout is not defined for any area other than Metropolitan area, the definition provided in G.O.(MS)No.78 for the word “layout” can be safely apply for other areas as well. The same



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definition shall be applied to the petitioner's case. Now the petitioner is only selling inherited property. Therefore, at no stretch of imagination, one could be construed that the petitioner is selling a plot out of the unapproved layout. Further, the subject property is an inherited property of the petitioner and she constructed a house on the said property after obtaining approval from the local authorities. Hence, the question of invoking the bar under Section 22A(2) of the Registration Act, 1908 does not arise in the present case. Therefore, the impugned order is liable to be set aside.

7. Accordingly, the impugned refusal check slip issued by the respondent is set aside. The petitioner is directed to represent the settlement deed dated 28.10.2025 before the respondent. Upon representation of the same, the respondent is directed to register the settlement deed dated 28.10.2025, forthwith.

8. With the above direction, this Writ Petition is allowed. There shall be no order as to costs.



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**9.** Post the matter on **27.02.2026** “for reporting compliance”.

**19.02.2026**

Index : Yes/NO

NCC : Yes/No

VSM

***Note: Issue order copy on 20.02.2026***

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The Sub Registrar,  
Registration Department,  
Chettikulam  
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Madurai District..



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**KRISHNAN RAMASAMY, J.**

VSM

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