

HIGH COURT FOR THE STATE OF TELANGANA  
AT HYDERABAD  
(Special Original Jurisdiction)

THURSDAY, THE THIRTIETH DAY OF SEPTEMBER  
TWO THOUSAND AND TWENTY ONE

PRESENT

THE HON'BLE SRI JUSTICE A. ABHISHEK REDDY

Between:

WRIT PETITION NO: 24252 OF 2021

1. Gulab Chand, S/o. Late Sri. Keshav Lal, Aged about. 54 yrs, Occ. Agriculture, R/o. H.No.15-6-267, Begum Bazar, Kolsawadi, Hyderabad.
2. Kashiram, S/o. S/o. Late Sri. Keshav Lal, Aged about. 51 yrs, Occ. Business, R/o. H.No.15-6-267, Begum Bazar, Kolsawadi, Hyderabad.
3. Lalith Mohan, S/o. Late Sri. Keshav Lal, Aged about. 49 yrs, Occ. Business, R/o. H.No.15-6-267, Begum Bazar, Kolsawadi, Hyderabad.

(Petitioners 1 to 3 are represented by their GPA holder B.Vishal, S/o. Sri. Gulab Chand, Aged about. 31 yrs, Occ. Business, R/o. H.No.15-6-267, Behind Osmania General Hospital, Hyderabad).

AND

...PETITIONERS

1. The State of Telangana, Rep by its Principal Secretary The Stamp and Registration Department, Hyderabad, Telangana.
2. The Inspector General of Registration and Stamps, at Mozamjahi Market, Hyderabad, Telangana.
3. The District Registrar, Stamps and Registration Department, Medchal-Malkajgiri District.
4. The Sub-Registrar Uppal, Medchal-Malkajgiri District, Telangana.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue the direction or directions, more particularly in the nature of writ of mandamus declaring the action of the 4th Respondent in not receiving, registering and releasing Deed of conveyance executed by the Petitioners, through their GPA holder in respect of the properties bearing i). Plot Nos.218 to 230 in Sy.No.151 (P) and 169 (P), adm. 4080 Sq Yrds of Boduppal Village and Gram Panchayat, Ghatkesar Mandal, Rangareddy District and ii). Plot Nos.202 to 206, 210 to 217 in Sy.No.151 (P) and 169 (P), adm. 2795 Sq Yrds of Boduppal Village and Gram Panchayat, Ghatkesar Mandal, Rangareddy District as illegal, arbitrary, opposed to public policy and provisions of Sec.22-A(2) of the Registration Act and also against Art.300-A of the Constitution of India and consequently direct the Respondent No.4 to receive, process, register the deed of conveyance executed between the petitioners with respect to the property mentioned therein, in respect of the said properties, in the interest of justice

IA NO: 1 OF 2021

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the Respondent No.4 to process, register and release the deed of conveyance executed by the petitioners, through their GPA holder in respect of the properties bearing i).

Plot Nos.218 to 230 in Sy.No.151 (P) and 169 (P), adm. 4080 Sq Yrds of Boduppal Village and Gram Panchayat, Ghatkesar Mandal, Rangareddy District and ii). Plot Nos.202 to 206, 210 to 217 in Sy.No.151 (P) and 169 (P), adm. 2795 Sq Yrds of Boduppal Village and Gram Panchayat, Ghatkesar Mandal Rangareddy District executed, pending disposal of the above writ petition

**Counsel for the Petitioner: SRI SHARAD SANGHI**

**Counsel for Respondents: GP FOR REVENUE**

The Court made the following: ORDER

**THE HON'BLE SRI JUSTICE A.ABHISHEK REDDY**

**WRIT PETITION No.24252 of 2021**

**ORDER:**

Heard learned counsel for the petitioners and learned Government Pleader for Revenue for the respondents. With their consent, the Writ Petition is disposed of at the stage of admission.

2. The main grievance of the petitioners is that respondent No.4 is refusing to receive, register and release the deed of conveyance executed by the petitioners, through their GPA holder, in respect of subject properties situated at Boduppal Village and Gram Panchayat, Ghatkesar Mandal, Ranga Reddy District.

3. Learned Government Pleader has submitted that the official respondents will follow the procedure contemplated under Section 71 of the Registration Act, 1908.

4. Section 71 of the Registration Act, 1908 (for short 'the Act') reads as follows:

Reasons for refusal to register to be recorded.—

- (1) Every Sub-Registrar refusing to register a document, except on the ground that the property to which it relates is not situated within his sub-district shall make an order of refusal and record his reasons for such order in his Book No.2, and endorse the words "registration refused" on the document; and, on application made by any person executing or claiming under the document, shall, without payment and unnecessary delay, give him a copy of the reasons so recorded.
- (2) No registering officer shall accept for registration a document so endorsed unless and until, under the provisions hereinafter contained, the document is directed to be registered.

5. In view of the above submission made by the learned Government Pleader coupled with the provision of Section 71 of the Registration Act, 1908, the Writ Petition is disposed of directing the Registering Authority to receive and process the subject documents, subject to the petitioners complying with the provisions of the Indian Registration Act, 1908, and Indian Stamps Act, 1899. It will be open to the Registering Authority to refuse/receive the document presented before him, if he has any other objection, by duly assigning reasons in support of such decision and communicate the said decision to the petitioners.

Miscellaneous petitions, pending if any, shall stand closed.

There shall be no order as to costs.

SD/-T.KRISHNA KUMAR  
ASSISTANT REGISTRAR

*[Signature]*  
//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, The Stamp and Registration Department, State of Telangana Hyderabad, Telangana.
2. The Inspector General of Registration and Stamps, at Mozamjahi Market, Hyderabad, Telangana.
3. The District Registrar, Stamps and Registration Department, Medchal-Malkajgiri District.
4. The Sub-Registrar Uppal, Medchal-Malkajgiri District, Telangana.
5. One CC to Sri Sharad Sanghi Advocate [OPUC]
6. Two CCs to GP For Revenue, High Court for the State of Telangana. [OUT]
7. Two CD Copies
8. One Spare copy

MBC

*[Signature]*

HIGH COURT

DATED: 30/09/2021



ORDER

WP.No.24252 of 2021

DISPOSING OF THE WRIT PETITION

WITHOUT COSTS

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8/10/21  
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