

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

**WEDNESDAY, THE TWENTY SECOND DAY OF APRIL
TWO THOUSAND AND TWENTY SIX**

PRESENT

THE HONOURABLE SRI JUSTICE PULLA KARTHIK

WRIT PETITION NO: 12108 OF 2026

Between:

Gaddam Mallikarjun Goud, S/o. Gaddam Shiviah Goud, Aged about 57 years, Occ ;
Business, R/o. H.No.6-2-2367/B-388, LIG Phase-2, Vanasthaliuram, Ranga Reddy.

.....PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary, Revenue Department(Stamps and Registration), Secretariat at B.R.K.R. Bhavan, Hyderabad.
2. The Commissioner and Inspector, General Stamps and Registration Department, MJ Road, Hyderabad.
3. District Collector, Ranga Reddy District.
4. District Registrar, Registration and Stamps, Ranga Reddy District.
5. The Sub-Registrar, Registration Office, Vanasthalipuram.

.....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 an appropriate Writ, order or direction more particularly one in the nature of Mandamus declaring the action of the respondents in issuing refusal order vide 35 of 2026 dt.30/03/2026 for refusing to register and release the pending document no. P 98 of 2026 dt.20/03/2026 pertaining to the Plot bearing no. 43 North part category MIG-II of Vansthalipuram Residential Complex, in sy.no.201, admeasuring 150 sq.yards or 125.4 sq.meters out of 287 sq.yards situated at Saheb Nagar, Kalan Village, under Havathnagar Mandal, Ranga Reddy District, Telangana on the ground

of improper title of vendor and the same is illegal, arbitrary, violative of Article 14 and 21 of the Constitution of India and violation to catena of judgments passed by the Honourable Supreme court, consequently set aside the refusal order vide no. 35 of 2026 dt.30/03/2026 in P.98 of 2026, thereby directing the respondents to receive, register and realm the document presented by the petitioner pertaining to the aforesaid property, in terms of law laid down by this honourable court in WP. No. 12962 of 2025 dt.29/04/2025 and WP.No. 13243 of 2025 dt.01/07/2025.

I.A.NO:1 OF 2026

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 authorities to receive, process, register and release the pending document vide P.98 of 2026 presented by the petitioner pertaining to the Plot bearing no. 43 North part category MIG-II of Vansthalipuram Residential Complex, in sy.no.201, admeasuring 150 sq.yards or 125.4 sq.meters out of 287 sq.yards situated at Saheb Nagar, Kalan Village, under Hayathnagar Mandal, Ranga Reddy District, Telangana, pending the final outcome of this writ petition.

Counsel for the Petitioner : SRI MOHAMMED MUDABBIR ALI KHAN

Counsel for the Respondents : Ms. S.SRAVANTHI, AGP FOR STAMPS AND REGISTRATION

The Court at the stage of admission made the following ORDER

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

THE HON'BLE SRI JUSTICE PULLA KARTHIK

WRIT PETITION No.12108 OF 2026

22nd APRIL, 2026.

Between:

Gaddam Mallikarjun Goud.

...Petitioner

AND

The State of Telangana,
Rep. by its Principal Secretary,
Revenue Department (Stamps and Registration),
Secretariat at B.R.K.R. Bhavan, Hyderabad and 4 others.

...Respondents

ORDER:

With the consent of both parties, this Writ Petition is taken up for disposal at the admission stage.

2. This Writ Petition is filed aggrieved by the action of the respondents in refusing to register and release the pending Document No.P 98/2026 dated 20.03.2026 by issuing Refusal Order No.35 of 2026.

3. Heard Ms. Mohd. Mudabbir Ali Khan, learned counsel for the petitioner and Ms. S. Sravanthi, learned Assistant Government Pleader for Stamps and Registration, appearing for the respondents.

4. Learned counsel for the petitioner submits that the document (P 98/2026) presented by the petitioner pertaining to plot bearing No.43 North part category MIG - II of Vanasthalipuram Residential Complex in Sy.No.201, admeasuring 150 sq. yards out of 287 sq. yards situated at Saheb Nagar, Kalan Village, Hayathnagar Mandal, Ranga Reddy District, was refused by the respondent authorities *vide* impugned refusal order No.35 of 2026, on the ground that validated document cannot be considered as link document. It is further submitted that the issue involved in this Writ Petition is squarely covered by the order passed by this Court in W.P.No.16310 of 2019 and batch dated 11.01.2023 and also recent Judgment of the Hon'ble Supreme Court in **K.Gopi v.**

The Sub-Registrar¹ and requested to pass similar order in this Writ Petition also.

5. Learned Assistant Government Pleader appearing for the respondents did not dispute the submissions made by the learned counsel for the petitioner. However, on instructions, submits that though the impugned refusal order is passed on the ground that the validated document cannot be considered as a link document, but the subject property is included in the prohibited properties list under Section 22-A of the Registration Act, 1908, as per letter dated 27.10.2025.

6. The relevant portion of the order in W.P.No.16310 of 2019 and batch dated 11.01.2023 is as under:

13. The power of the registering authority to refuse registration is only, if any of the grounds or objections that are enumerated under the provisions of the Registration Act, 1908, and the Rules made thereunder in particular Sections 19, 20, 21, 22-A, 34, 35 and rule 58 of the Telangana Rules under the Registration Act, 1908, are existing in respect of any such document presented for the registration. Except, the grounds or objections that are enumerated under the provisions of the Registration Act, 1908, the registering authorities have no authority to refuse registration of a document on any other ground. As already noted above, the ground on which the impugned refusal orders in all these batch of Writ Petitions are passed is that the link document shown in the respective documents is a validated and an unregistered document. By looking into a validity of the link document, the

¹2025 SCC OnLine SC 740

registering authority is indirectly verifying whether the executants of the respective documents are having valid title or not to execute the documents in question. As held in the above referred judgment in the case of Dr. Yadla Ramesh Naidu (1 supra), the registering authority is not entitled to go into the title of the parties to the document. It is a settled law that the vendee under a document will not get a better title than his vendor and in case if vendor is not having a valid title over the property which is the subject matter of a particular document, the vendee under the said document does not get any title over such property and mere registration of such document will not have an effect on the property which is the subject matter of the said document.

14. As rightly conceded by the learned Government Pleader for Stamps and Registration, the registering authorities are not entitled to refuse registration of a document on mere ground that the title of the executants of the respective document is based upon the validated document, though the same is compulsorily registerable document cannot be accepted and such a ground is not available to the registering authorities to refuse registration of a document on that ground.

...

19. In the light of the above, this Court is unhesitant to hold that the respondent registering authorities are not entitled to refuse registration of a document on the ground that the link document referred to in the respective document is a validated document or to refuse registration of such document by placing reliance on endorsement, dated 02.01.2008, issued by the Commissioner and Inspector General of Stamps and Registration. Accordingly, the impugned orders in the respective Writ Petitions are set aside and Writ Petitions are allowed with a further direction to the respondent registering authorities to receive the returned documents and to process the same subject to the condition of the said documents complying with the provisions of the Registration Act, 1908 and the Indian Stamp Act, 1899.

7. In **K.Gopi's** case (1 supra), the Hon'ble Supreme Court held as under:

"The registering officer is not concerned with the title held by the executant. He has no adjudicatory power to decide whether the executant has any title. Even if an executant executes a sale deed or a lease in respect of a land in respect of which he has no title, the registering officer cannot refuse to register the document if all the procedural compliances are made and the necessary stamp

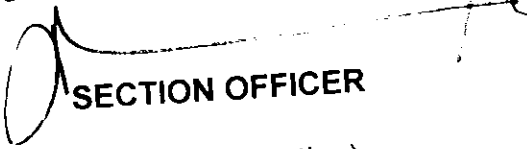
duty as well as registration charges/fee are paid.*We may note here that under the scheme of the 1908 Act, it is not the function of the Sub-Registrar or Registering Authority to ascertain whether the vendor has title to the property which he is seeking to transfer. Once the registering authority is satisfied that the parties to the document are present before him and the parties admit execution thereof before him, subject to making procedural compliances as narrated above, the document must be registered. The execution and registration of a document have the effect of transferring only those rights, if any, that the executant possesses. If the executant has no right, title, or interest in the property, the registered document cannot effect any transfer.

8. In view of the order in W.P.No.16310 of 2019 and batch dated 11.01.2023 as well as the Judgment of the Hon'ble Supreme Court in **K. Gopi's** case (1 supra) and for the reasons mentioned therein, this Writ Petition is disposed of directing the respondent authorities to receive, register and release the document bearing P 98/2026 presented by the petitioner in respect of the subject property, without reference to the Intimation of Refusal No.35 of 2026 dated 30.03.2026, subject to the condition that the said document complies with the provisions of the Registration Act, 1908 and the Indian Stamp Act, 1899. It will be open to the Registering Authority to refuse registration of the document presented before him, if he has any objection, and he shall assign reasons in support of such decision and shall also communicate the same to the petitioner.

Miscellaneous petitions, if any, pending in this Writ
Petition shall stand closed. There shall be no order as to costs.

SD/-A.H.S. GOWRI SHANKAR
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To

1. The Principal Secretary, Revenue Department(Stamps and Registration), Secretariat at B.R.K.R. Bhavan, State of Telangana at Hyderabad.
2. The Commissioner and Inspector, General Stamps and Registration Department, MJ Road, Hyderabad.
3. The District Collector, Ranga Reddy District.
4. The District Registrar, Registration and Stamps, Ranga Reddy District.
5. The Sub-Registrar, Registration Office, Vanasthalipuram.
6. Two CCs to GP FOR STAMPS AND REGISTRATION, High Court for the State of Telangana at Hyderabad. [OUT]
7. One CC to SRI MOHAMMED MUDABBIR ALI KHAN, Advocate [OPUC]
8. Two CD Copies

SA

BS

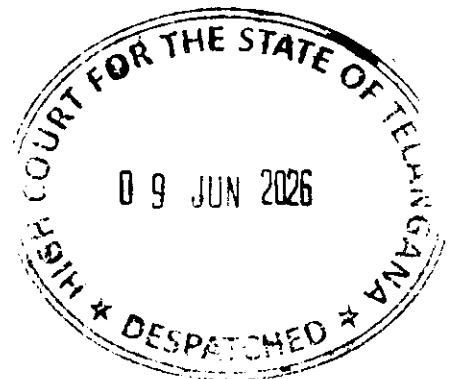


HIGH COURT

DATED: 22/04/2026

ORDER

WP.No.12108 of 2026



**DISPOSING OF THE W.P
AT THE STAGE OF ADMISSION
WITHOUT COSTS.**

(11)
09/06/26
K.B