



2025:TSHC:42958

A[3302]

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

**TUESDAY, THE ELEVENTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HONOURABLE SRI JUSTICE K. SARATH

WRIT PETITION NO: 16139 OF 2025

Between:

1. Sri. Chintala Surender Reddy, S/o Late. Chintala Chandra Reddy, Aged about 51 years, Occ. Busines, R/o. H.No. 4-13/B, Hanuman Tekdi, Macha Bollaram Alwal, Medchal-Malkjigiri DistriCt, 500010.
2. Smt. Chintala Swpna Reddy, W/O. Chintala Surender Reddy, Aged about 44 years, Occ. House Wife, R/o. H.No. 4-13/B, Hanuman Tekdi, Macha Bollaram, Alwal, Medchal-Malkjigiri District, 500010.
3. Smt. Sushila S.Kamath, W/O. Late.V.S.Kamath, Aged about 89 Years, Occ. House Wife, R/o.H.No.10-3-32/9/13/3-442, Arsh Glory, Street No.10, East Marredpally, Secunderabad -500026.

...PETITIONERS

AND

1. The State of Telangana, Represented by its Principal Secretary, Department of Revenue, Stamps and Registration, Dr. B.R. Ambedkar Telangana Secretariat building Hyderabad.
2. Commissioner and Inspector General, Registration and Stamps Department Mozamjahi Market Jam Bagh, Hyderabad -500095.
3. The District Registrar, District Registrar Office Near Bus Stand, Medchal, Medchal-Malkajigiri District, 501401.
4. The Joint Sub Registrar, Sub Registrar Office, Val labhnagar, Patigadda Begumpet, Hyderabad.

...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 order or direction more particularly one in the nature of writ of mandamus declaring the action of the 4th respondent in refusing the registration of the three sale deeds presented for registration vide 1) refusal order No. 2 vide letter No. 123/2025 dated 16.05.2025 , 2) refusal order No. 3/2025 vide letter No. 124/2025 dated 16.05.2025 and 3) Refusal Order No. 4/2025 vide letter No. 125/2025 dated 16/05/2025 and consequently direct the 4th respondent to receive and register the Three sale deeds in respect of the total property bearing



2025:TSHC:42958

Plot No 693 and plot No. 694 in Survey No. 174 admeasuring 420 square yards situated at Sai Surya Enclave, Macha Bollaram, Alwal, Medchal Malkajgiri Dist.

IA NO: 1 OF 2025

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 4th respondent to register the Sale deeds vide pending document Nos. 1) 28/2025, 2) 29/2025 and 3) 30/2025 dated 15.05.2025 pending the above writ petition

**Counsel for the Petitioners: SRI B.S. PRASAD SENIOR COUNSEL REP
M/s PEARL LAW ASSOCIATES**

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

The Court made the following: ORDER



THE HON'BLE SRI JUSTICE K.SARATH

WRIT PETITION No.16139 OF 2025

ORDER:

1. This Writ Petition is filed questioning action of the respondent No.4 in refusing to register the three (3) sale deeds, presented by the petitioners, vide (i) refusal Order No.2, in letter No.123/2025 (ii) refusal Order No.3, in letter No.124/2025 and (iii) refusal Order No.4 in letter No.125/2025, all dated 16.06.2025 in the respect of the total property bearing plot Nos.693 and 694 in Sy.No.174, admeasuring to an extent of 420 Sq.Yards, situated at Sai Surya Enclave, Macha Bollaram, Alwal, Medchal-Malkajgiri District (herein after referred to as 'subject property') and sought a direction to the respondent No.4 to receive and register the documents presented by the petitioners in respect of the subject property.



2. Heard Sri B.S.Prasad, learned Senior Counsel appearing for M/s. Pearl Law Associates, learned Counsel for the petitioners and Mrs.S.Sravanthi, learned Assistant Government Pleader for Stamps and Registration appearing for the respondents.

3. The learned Senior Counsel for the petitioners would submit that the petitioner Nos.1 and 2 are the husband and wife and the petitioner No.3 is their vendor, from whom the petitioner Nos.1 and 2 purchased subject property for a valuable consideration of Rs.39,54,000/- on 15.05.2025 vide three separate documents and presented before the respondent No.4 and the same were refused to register through impugned refusal order Nos.2, 3 and 4 in letter Nos.123, 124 and 125 of 2025 dated 16.05.2025 respectively on the ground that Smt.Sushila S.Kamath i.e. the petitioner No.3 herein, had already sold the subject property to one Ch.Srinu through document No.845/2017 on the file



of SRO, Balanagar. Subsequently the said Ch.Srinu sold the same to one K.Ram Gopal Reddy and Chilukuri Srinivas Babji, who in turn sold to one Sri P.Maladri vide document No.2648/2017 and 3083/2017. The second reason stated for rejection is that the subject property is under Court litigation and O.S.No.342/2018 on the file of Principal District and Sessions Judge, Medchal-Malkajgir District and also in the light of instructions issued by the Commissioner and Inspector General, Registration and Stamps vide Circular No.13450/2007 dated 21.07.2008.

4. The learned Senior Counsel for the petitioners would further submit that the petitioner No.3, who is the vendor of the petitioner Nos. 1 and 2, purchased the subject property through registered sale deed No.2316/1997 dated 05.08.1997 from Mogulla Kistamma and 7 others thorough their agent M/s Ravi Shankar Real Estates and has been in



2025:TSHC:42958

possession of the same and on purchase of the same the petitioners 1 and 2 are in possession and enjoyment of the said property. In the month of August, 2017 one P.Maladri along with his henchmen tried to trespass into subject property. On enquiry the petitioner No.3 found that multiple sale deeds were created on the subject property and in view of the same the petitioner No.3 filed a Criminal case against P.Maladri, Ch.Srinu, Ch.Srinivas Babji, K.Ram Gopal Reddy, Muthu Lakshmi, M.Meena and the said case was registered as FIR No.638 of 2017. Subsequently the police have filed charge sheet against the said persons by deleting the name of P.Maladri as his involvement in the alleged offence has not been established.

5. The learned Senior Counsel for the petitioners would further submit that the said P.Maladri filed a suit in O.S.No.427 of 2017 on the file of II-Additional Junior Civil Judge, Kushaiaguda, against the



petitioner No.3 and others for perpetual injunction and the said suit was dismissed on 30.12.2024. The petitioner No.3 also filed O.S.No.342 of 2018 on the file of Principal District Judge, at Medchal Malkajgiri for cancellation of sale deed No.845/2017 dated 03.02.2017 and consequential documents, in which all the fraudsters were remained *ex parte* and P.Maladri as defendant No.4 filed Written Statement.

6. The learned Senior Counsel for the petitioners would further submit that the registered deeds were created by the anti-social elements purporting to have conveyed the property by the vendors of the petitioners and P.Maladri has given up his rights by entering into an arrangement with his purported Vendor Ch.Srinivas Babji having agreed to take refund of sale consideration of Rs.21 Lakhs and having initiated legal process for dishonor of the said cheque is estopped to claim any title, right or



2025:TSHC:42958

Page 6 of 16
SK,J
WP No. 16139 of 2025

interest whatsoever in the subject property. The petitioner No.3 is having unimpeachable right, title and interest in the fabricated registered instruments which are *per se void ab-initio* and the petitioner No.3 is free to deal with the property in her own rights. The pendency of civil suit in O.S.No.342 of 2018 on the file of the Principal District and Sessions Judge, Medchal-Malkajgiri do not hedge with any limitation to deal with the property or in any way effect her right to transfer of her property.

7. The learned Senior Counsel for the petitioners would submit that, the respondent No.4, cannot place any reliance on the encumbrance or any legal proceedings before the Civil Court or any Government Order, more particularly on the Circular Memo No.13457/2007 dated 21.07.2008 to refuse the registration of valid documents executed and presented by the petitioner No.3 in her own right and therefore refusal of registration of the sale deeds



presented by the petitioners which conform to the provisions of the Transfer of Property Act and lawfully purchased by the petitioners Nos.1 and 2 for a valuable sale consideration and requested to set aside the impugned refusal orders and sought a direction to the respondent No.4 to register the sale deeds presented by the petitioners.

8. The learned Senior Counsel for the petitioners in support of his contention, placed reliance on the following Judgment:

1. K.Gopi Vs. Sub-Registrar and others ¹

9. The learned Assistant Government Pleader for Stamps and Registration basing on the counter filed by the respondent No.4 would submit that the documents presented by the petitioner Nos.1 to 3 were kept pending for scrutiny and assigned document numbers as P-28, 29 and 30. On

¹ 2025 SCC Online SC 740



2025:TSHC:42958

Page 8 of 16
SK,J
WP No. 16139 of 2025

examination of the documents presented by the petitioners it was found that the petitioner No.3 has already sold subject property to one Ch.Srinu vide document No.845/2017 on the file of SRO Balanagar. Subsequently, the said Ch.Srinu has sold to one K.Ram Gopal and Ch.Srinivas Babji vide document Nos.1535/2017 and 1579/2017 respectively on the file of SRO, Vallababagar and said persons sold to P.Maladri vide document No.2648/2017 and 3083 of 2017 as such the subject property is involved in double and triple registrations. The petitioners were informed of their right to prefer appeal before the District Registrar as per Section 72 of the Registration Act, 1908 and without exhausting such right the petitioners filed the present writ petition.

10. The learned Assistant Government Pleader further submits that a suit for cancellation of documents is pending between the petitioner No.3



and the third parties vide O.S.No.342 of 2018 on the file Principal District and Sessions Judge. Therefore, the respondent No.4 was well within his rights to refuse registration of the sale deeds presented by the petitioners and passed impugned orders. There are no merits and requested to dismiss the writ petition.

11. After hearing both sides and on perusing the record, this Court is of the considered view that the subject property was purchased by the petitioner No.3 from her Vendors through registered document No.2316/1997 dated 05.08.1997 on the file of S.R.O., Vallabh Nagar. Now, the petitioner No.3 wanted to sell the subject property to petitioner Nos.1 and 2, but the registering authority refused to register the same by stating that on verification of the Encumbrance Certificate Records it shows that the petitioner No.3 had already sold the subject property to one Ch.Srinu through registered document No. 845 of 2017 and subsequently the



2025:TSHC:42958

Page 10 of 16
SK,J
WP No.16139 of 2025

said Ch.Srinu sold the same to one K.Ram Gopal, and Chilkuri Srinivas Babji, who in turn sold the said property to one P.Maladri through registered document Nos.2648 of 2017 and 3083 of 2017 and also pendency of O.S.No.342 of 2018 on the file of Principal District and Sessions Judge, filed by the petitioner No.3 against Ch.Srinu, Chilukuri Srinivas Babji, K.Ram Gopal Reddy and P.Maladri, for cancellation of the documents.

12. The contention of the learned Senior Counsel for the petitioners is that the petitioner No.3 filed a Criminal Case on 15.09.2017 in view of fabricated registered document No.845/2017 and subsequent documents and the same was registered as CC No.940 of 2018 on the file of XXI Metropolitan Magistrate, Cyberabad at Medchal. The suit in O.S.No.427 of 2017 on the file of II-Additional Junior Civil Judge, Kushaiguda, filed by P.Maladri against the petitioner No.3 and Ch.Srinu, Chilukuri



Srinivas Babji and K.Ram Gopal Reddy for perpetual injunction in respect of the subject property was dismissed on 30.12.2024.

13. Admittedly, as per the material papers filed by the petitioners it clearly shows that the petitioner No.3 filed O.S.No.342 of 2018 on the file of XVI Additional District Judge at Malkajgiri, against Ch.Srinu, Chilukuri Srinivas Babji, K.Ramgopal Reddy and P.Maladri for cancellation of sale deed bearing No.845/2017 dated 03.02.2017 on the file of SRO. Balanagar in respect of the subject property and consequential documents, is still pending. As on this date, the registered documents in respect of the subject property are in favour of P.Maladri, who is the defendant No.4 in O.S.No.342 of 2018, filed by the petitioner No.3. The charge sheet filed in the Criminal Case in CC No.940 OF 2018 on the file of XXI Metropolitan Magistrate, Cyberabad at Medchal also the name of said P.Maladri has been deleted on



2025:TSHC:42958

Page 12 of 16
SK,J
WP No.16139 of 2025

the ground that the alleged involvement of P.Maladri has not been established.

14. In spite of the pendency of O.S.No.342 of 2018 filed by the petitioner No.3 herself for cancellation of registered documents pertaining to suit subject property, now she wanted to sell the subject property to petitioner Nos.1 and 2 and in view of the same, the registering authority rejected registration of the documents presented by the petitioners on the ground of the pendency of the suit and the property is also in the name of third parties.

15. The learned Senior Counsel for the petitioners, by placing reliance on the Judgment of the Hon'ble Supreme Court in ***K.Gopi Vs. Sub-Registrar and others (supra)*** contends that the respondents have no power to verify the title of the parties. The said contention cannot be acceptable as in the instant case, the petitioner No.3 herself filed a suit before



the competent Civil Court for cancellation of the document alleged to be executed by her in respect of the subject property. Moreover, the petitioner No.3 without impleading the third parties, who are the defendants in O.S.No.342 of 2018, filed the present writ petition. Further, as on this date, the registered documents i.e. Document No. 2647 of 2017 and 3083 of 2017 in respect of the subject property are in the name of P.Maladri. In view of the same, the petitioner No.3 has no right to sell the subject property till the disposal of suit filed by herself in O.S.No.342 of 2018. In view of the same, the Judgment relied on by the learned Senior Counsel for the petitioners not apply to the facts of the instant case.

16. The registering authority rightly rejected the documents presented by the petitioners as the petitioner No.3 has no right over the subject property in view of registered document No.845 of



2025:TSHC:42958

Page 14 of 16
SK,J
WP No.16139 of 2025

2017 on the file of S.R.O., Balanagar alleged to be executed by her in favour of one Ch.Srinu and also subsequent transactions. Unless the said documents are cancelled by the competent civil Court and the suit filed by the petitioner No.3 for cancellation of the said document is finalized before the Principal District Court, Medchal-Malkajgiri, the petitioner No.3 has no right to sell the subject property.

17. The petitioner No.3 tried to sell the subject property by presenting the documents before the registering authority before finalization of civil suit for cancellation of the registered document alleged to be executed by her in favour of Ch.Srinu and it shows that the petitioner No.3 is claiming the subject property under parallel proceedings i.e. suit for cancellation of documents and instant writ petition and it cannot be acceptable.



18. The contention of the petitioners is that the police have filed charge sheet against Ch.Srinu and others in the criminal case, but the same cannot be taken as conclusive proof as the same is pending and the same can be decided by the competent Civil Court where the petitioner No.3 filed a civil suit for cancellation of the registered document. If the petitioner No.3 obtains a favourable order in her favour in the civil suit, she has right to sell the subject property. This Court cannot set aside the impugned rejections orders in the instant writ petition filed under Article 226 of Constitution of India as the subject property is not in the name of the petitioner No.3 as on this date and the writ petition is liable to be dismissed as devoid of merits.

19. In view of the above finding, this writ petition is dismissed. No order as to costs.



2025:TSHC:42958

Page 16 of 16

SK,J

WP No.16139 of 2025

Miscellaneous Petitions pending, if any, in this
Writ Petition shall stand closed.

Sd/-A.SREENIVASA REDDY
ASSISTANT REGISTRAR

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SECTION OFFICER

One fair copy to THE HON'BLE SRI JUSTICE K. SARATH
(For His Lordship's Kind Perusal)

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2025:TSHC:42958

HIGH COURT

DATED:11/11/2025

ORDER

WP.No.16139 of 2025



DISMISSING THE WRIT PETITION WITHOUT COSTS

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