

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

THURSDAY, THE THIRTEENTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE K. SARATH

WRIT PETITION NO: 16432 OF 2025

Between:

1. Sri Rama Swargam, W/o Rajendernath, Aged about 54 Years, Occ . Household, R/o H. No. 10-1-92/116/B, AMPRO Colony, Karmanghat, Saroornagar, Hyderabad - 35.
2. Nallala Kanakaraju, S/o Peeddulu, Aged about 54 Years, Occupation. Business, R/o H. No. 1-18/2, Abbhapur Village, Julapally Mandal, Peddapalli District - 505 188.

...PETITIONERS

AND

1. The State of Telangana, Stamps and Registration Department, Secretariat Building, Hyderabad - 500 022, Represented by its Principal Secretary.
2. The Commissioner and Inspector General of Registration and Stamps, Government of Telangana, Mojamjahi Market, Hyderabad - 500 001.
3. The District Registrar, Stamps and Registration, Peddapalli District, Peddapalli - 505 172, Telangana State.
4. The Sub-Registrar, Sircilla - 505 301, Rajanna Sircilla District, Telangana State.
5. Sandaveni Raju, Devaiah, Aged about 35 Years, Occ . Agriculture, R/o H. No. 1-43, Narsimhulapalle Village, Thangallapalli Mandal - 505 473, Rajanna Sircilla District, Telangana State.

...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 a Writ, Order or Direction particularly a Writ of Mandamus declaring the Letter No. 89/2025, dated: 05-05-2025 issued by The Office of the Sub Registrar, Sircilla by. which it is informed that the both parties i.e., Principals as well as GPA holder should be present for cancellation of GPA document before the registering authority or else the registering authority has no power to

cancel the GPA unilaterally as arbitrary, illegal and contrary to law and consequently direct the respondents particularly respondent No. 4 to register the cancellation deed to be submitted by the petitioner for canceling the GPA dated . 04-03-2023 executed by the petitioners in favour of respondent No. 5 without insisting for the presence of respondent No. 5 at the time of registration of cancellation deed in the interests of justice

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 respondents particularly respondent No. 4 not to entertain any document either for entire property or part thereof in respect of land to an 2200=00 square yards or equivalent to 1839=49 square meters in Survey No. 66/A situated near H. No. 3-4-91 of Shanthinagar Post Office Road, Rallabavi Locality, Sircilla Proper and Mandal, Rajanna Sircilla District, Telangana State covered by GPA vide document No. 1908/2023 registered in the office of the 4th respondent submitted/to be submitted by respondent No. 4 pending disposal of writ petition

Counsel for the Petitioners : SRI T P ACHARYA

Counsel for the Respondent Nos. 1 to 4: SMT. S. SRAVANTHI, AGP FOR STAMPS AND REGISTRATION

Counsel for the Respondent No. 5 : -----

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K.SARATH

WRIT PETITION No.16432 of 2025

ORDER:

Heard Sri T.P.Acharya, learned counsel for the petitioners and Smt.S.Sravanthi, learned Assistant Government Pleader for Stamps and Registration appearing for the respondent Nos.1 to 4. In spite of service of personal notice, none appeared for the respondent No.5.

2. Learned counsel for the petitioners submits that the petitioners filed the present Writ Petition seeking to declare the letter No.89/2025 dated 05.05.2025 issued by respondent No.4-Sub-Registrar, Sircilla, as illegal and arbitrary.

3. Learned counsel for the petitioners submits that the petitioners are the absolute owners and possessors of land admeasuring 2200 Sq.yards (equivalent to 1839.49 Sq.meters) in Sy.No.66/A, situated near H.No.3-4-91, Shanthinagar Post Office Road, Rallabavi Locality, Sircilla Town and Mandal, Rajanna-Sircilla District. The petitioners

have purchased the said land from the original owners through a registered sale deed dated 24.11.2017 *vide* Document No.8889/2017. The petitioners later intended to sell the said property and for that purpose, executed a Registered General Power of Attorney (for brevity, 'GPA') dated 04.03.2023 in favour of the respondent No.5 *vide* document No. 1908/2023, in the office of respondent No.4, authorizing respondent No.5 to execute sale deeds on behalf of the petitioners, either for part or whole of the property. It is specifically stated that the said GPA does not confer any ownership rights or interest upon respondent No.5 in the subject property.

4. Learned counsel for the petitioners further submits that although the GPA was executed on 04.03.2023, no part of the property has been sold and the land remains intact till date and the GPA is also subsisting. However, the respondent No.5, in collusion with certain third parties, is trying to alienate the subject property and therefore the petitioners decided to cancel the GPA dated 04.03.2023 executed in favour of the respondent No.5 and approached the

respondent No.4 for its cancellation. However, the respondent No.4, directed the petitioners to bring the respondent No.5 to his office for the cancellation process and when the petitioners informed that the respondent No.5 was not cooperating, the respondent No.4 stated that unilateral cancellation was not possible unless both parties appeared before him and issued an impugned letter dated 05.05.2025.

5. Learned counsel for the petitioners further submits that the GPA executed in favour of the respondent No.5 is a simple power of attorney and not one coupled with any interest. The petitioners being the executors are legally entitled to revoke or cancel the same at any time in order to safeguard their ownership and rights over the property and the impugned letter is contrary to the law. Learned counsel requested to allow the present Writ Petition by directing the respondent authorities to register the cancellation deed submitted by the petitioner for cancelling the GPA dated 04.03.2023 in favour of the respondent No.5. /

6. Learned counsel for the petitioners relied upon the Judgment of this Court in **Kayitha Venkateswara Reddy Vs The State of Telangana and Ors¹**.

7. On the other hand, learned Assistant Government Pleader for Revenue basing on the counter filed by respondent No.4 submits that the petitioner has submitted a representation dated 01.05.2025 for unilateral cancellation of the registered GPA Document No.1908/2023 dated 04.03.2025, which was executed in favour of Sri Sandaveni Raju, S/o. Devaiah i.e., respondent No.5 herein. Further, the petitioner has already been informed vide Tr.No.89/2025 dated 05.05.2025 that both the parties should be present for cancellation of GPA document through a bilateral agreement to cancel the document and execute a registered revocation or cancellation deed before the registering authority and the registering authority does not have any power to unilaterally cancel the said GPA. However, the principal can revoke a GPA through a legally recognized process involving consent of

¹ Unreported order passed by this Court in W.P.Nos.529, 5809 and 8249 of 2023, dated 26.06.2023.

the agent or through a Court order and not through a unilateral cancellation. Learned Assistant Government Pleader submitted that the respondent authorities will follow due process of law and requested to pass appropriate orders.

8. After hearing both sides and on a perusal of the material on record, this Court is of the considered view that the petitioner is questioning the impugned letter No.89/2025 dated 05.05.2025 passed by the respondent No.4-Sub Registrar, Sircilla, wherein it is stated that both parties should be present for cancellation of GPA document before the registering authority and the registering authority is not having any power to cancel the document unilaterally. The contention of the respondents is that a registered GPA is a bilateral agreement, therefore, the registering authority does not have any power to cancel the same.

9. In fact, this Court considered the said issue in similar matters and held that a simple GPA is revocable and can be cancelled by the executants unilaterally. The Judgment relied by the learned counsel for the petitioner in **Kayitha**

Venkateswara Reddy Vs The State of Telangana and Ors

(supra 1) would squarely apply to the instant case.

10. This Court also in ***Mohan Sudan Kanake and Ors. Vs The State of Telangana***² held that a irrevocable GPA can be revoked and the same can be cancelled without issuing any notice to the GPA holder, if there is no interest or consideration mentioned in the GPA. In the instant case also, the document executed by the GPA executants is a simple GPA without any mention about the consideration or interest of the respondent No.5.

11. In spite of service of personal notice to the respondent No.5, none appeared before this Court. In view of the same, the document presented by the petitioner for cancellation of the registered GPA *vide* document No.1908/2023 dated 04.03.2023 executed in favour of the respondent No.5 has to be entertained by the Registering Authority.

12. In view of the above findings, this Writ Petition is disposed of by setting aside the impugned Lr.No.89/2025

² Reported Judgment passed by this Court in W.P.No.3622 of 2016 dated 26.06.2025.

dated 05.05.2025 issued by respondent No.4-Sub Registrar and further directing the respondent No.4-Sub Registrar to receive, register and release the document presented by the petitioner for cancellation of registered GPA Document No.1908/2023, subject to the document presented by the petitioner is complying with the provisions of the Registration Act, 1908 and Indian Stamp Act, 1899. There shall be no order as to costs.

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

SD/-P. PONNA KRISHNA
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Stamps and Registration Department, Secretariat Building, The State of Telangana, Hyderabad - 500 022,
2. The Commissioner and Inspector General of Registration and Stamps, Government of Telangana, Mojamjahi Market, Hyderabad - 500 001.
3. The District Registrar, Stamps and Registration, Peddapalli District, Peddapalli - 505 172, Telangana State.
4. The Sub-Registrar, Sircilla - 505 301, Rajanna Sircilla District, Telangana State.
5. One CC to SRI T P ACHARYA, Advocate [OPUC]
6. Two CCs to GP FOR STAMPS AND REGISTRATION, High Court for the State of Telangana. [OUT]
7. Two CD Copies

PVL
TKS

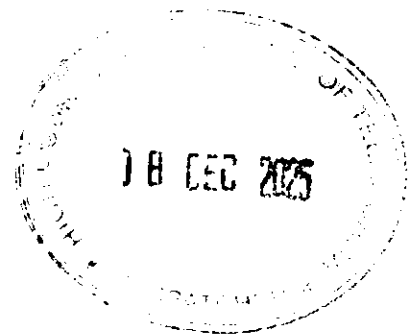
[Signature]

HIGH COURT

DATED:13/11/2025

ORDER

WP.No.16432 of 2025



**DISPOSING OF THE WRIT PETITION
WITHOUT COSTS**

⑩ MT
8/12/25