



2025:TSHC:43145
[3301]

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

**WEDNESDAY, THE TWELFTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HON'BLE SRI JUSTICE PULLA KARTHIK

WRIT PETITION NO: 18605 OF 2025

Between:

Ramasahayam Venkat Reddy, S/o. Late R.Venkat Ram Reddy, Age 60 years, Occ.
Sub Registrar, (Under Suspension), S.R.Nagar, Hyderabad.

...PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary, Revenue (Regn-I) Department, Secretariat, 4th Floor, B.R.K.Bhavani Hyderabad - 500022.
2. The Commissioner and Inspector General of Registration and Stamps, Telangana State, 4th Floor, Registration Bhavan, Nizam Shahi Road Hyderabad - 500024.
3. The Deputy Inspector General Registration and Stamps, Hyderabad e Floor, Registration Bhavan, Nizam Shahi Road, Hyderabad.
4. The District Registrar Office of District Registrar, Red Hills, Hyderabad (South).

...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 especially one in the nature of Writ of Mandamus declaring that,

- a) Declaring that the proceedings No.G/709/2025 dated 11.06.2025 of the 2nd respondent are illegal, arbitrary and discriminatory and without any power and authority, therefore the proceedings are liable to be set aside.
- b) Further declare that the petitioner shall be reinstated in to service forthwith.



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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 to forthwith reinstate the petitioner into service as Sub Registrar, Sanjeevreddy Nagar, Hyderabad, by suspending the operation of the impugned proceedings No.G/709/2025 dated 11.06.2025 pending disposal of the writ Petition.

**Counsel for the Petitioner: SRI M. SURENDER RAO, SENIOR COUNSEL
REPRESENTING SRI C. RAJA SEKHAR REDDY**

Counsel for the Respondents: GP FOR SERVICES - I

The Court made the following: ORDER



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THE HON'BLE SRI JUSTICE PULLA KARTHIK

WRIT PETITION No.18605 of 2025

ORDER:

This Writ Petition is filed seeking to declare and set aside the impugned proceedings of respondent No.2 vide No.G/709/2025 dated 11.06.2025 as illegal, arbitrary, discriminatory and without power, and consequently, to direct the respondents to forthwith reinstate the petitioner into service.

2. Heard Sri M. Surender Rao, learned Senior Counsel, representing Sri C. Raja Sekhar Reddy, learned counsel appearing for the petitioner, and learned Government Pleader for Services-I, appearing on behalf of the respondents.

3. Learned Senior Counsel appearing for the petitioner submits that while the petitioner was working as Sub-Registrar, Sanjeevreddy Nagar, a complaint was lodged against him by one Mr. C.A. Vidya Sagar, Secretary, A.P. Christian Medical Educational Society, alleging fraudulent registration of Sale Deed bearing document No.1077/2025 on 04.04.2025, in respect of the property bearing H.No.6-3-566, Mehar Manzil, Somajiguda, Khairtabad, Hyderabad. Pursuant to the said complaint, an enquiry was ordered by respondent No.2 vide Memo dated

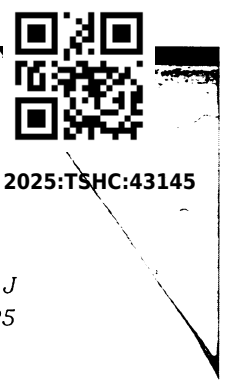
29.05.2025, and upon conclusion of the preliminary enquiry, respondent No.3 concluded that the petitioner had failed to properly scrutinize the documents before registration, without taking serious note of two unregistered HIBA Transactions for the property already transacted under two Fasli sale deeds, disregarded the wrong PTIN with complaisance society name, and also failed to acknowledge the prohibited entry of the property involved in the transaction, and held that the petitioner had shown a lack of integrity and devotion in discharging his duties. However, without actually verifying the facts, respondent No.2 has arbitrarily placed the petitioner under suspension vide impugned proceedings dated 11.06.2025.

4. It is further submitted that the main allegation against the petitioner is that he had accepted the registration of the property, against which, a prohibition entry was recorded, at the request of the CID Police. However, as per the decision of the Division Bench of this Court in W.P.Nos.28643, 28776 and 28799 of 2021 dated 13.12.2021, the police authorities are not competent to request for the inclusion of immovable properties in the list of prohibited properties. It is also submitted that the deletion of prohibition entry could not be carried out, due to technical issues only, and the same was also reported to the District Registrar, Hyderabad (South), and the said deletion is currently



under process. Therefore, the respondents ought not to have placed the petitioner under suspension on the said allegation. It is further submitted that there is no mistake or procedural lapse on the part of the petitioner in registering the property vide Document No.1077/2025 dated 04.04.2005, and no loss is caused to the Government, as the said property is not classified as Government Land. Moreover, the Government derived revenue through the Stamp Duty paid. Therefore, there is no basis for placing the petitioner under suspension. It is also submitted that the petitioner is presently aged about (60) years and on the verge of his retirement from service. As such, the impugned suspension would adversely affect the petitioner's pension and terminal benefits. Therefore, learned Senior Counsel prays this Court to pass necessary orders in the present writ petition by setting aside the impugned suspension order dated 11.06.2025.

5. On the other hand, learned Government Pleader appearing on behalf of the respondents submits that grave irregularities were alleged against the petitioner in registration of the Sale Deed bearing Document No.1077/2025 dated 04.04.2025, concerning the premises bearing H.No.6-3-566, Mehar Manzil, Somajiguda, Khairtabad, Hyderabad. As such, a preliminary enquiry was conducted against him, wherein, the enquiry officer observed that after a series of earlier transactions, the



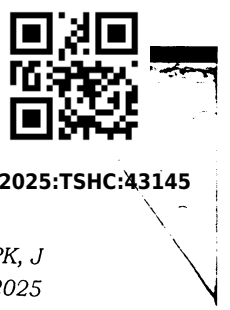
said property was already sold to the A.P. Christian Medical Educational Society vide Sale Agreement dated 03.07.1985. However, one Mr. Sajjad Ali Khan, claiming title over the same property, created two unregistered HIBA instruments, sold it to one Mr. Gosangi Srinivasulu Reddy, which was registered by the petitioner vide Sale Deed No.1077/2025 dated 04.04.2025, without acknowledging that the actual owner of the said property was A.P. Christian Medical Educational Society with Property Tax Identification No. 1100608439. As such, the enquiry officer held that the petitioner, being a responsible public servant, failed to discharge his duties faithfully, and registered the property executed by unauthorized persons, without properly scrutinizing the previous transactions, thereby, facilitating civil litigation. The petitioner was also held guilty of non-compliance with the Standing Orders and the Statutory Provisions of the Indian Registration Act, 1908. Therefore, based on the said findings, the petitioner's suspension was rightly ordered in the public interest.

6. It is further submitted that on verification of Check Slip pertaining to Document No.1077/2025 registered by the petitioner, it was found that a note of prohibition on transfer of the said property was entered by the earlier Registering Officer, on the strength of the orders of this Court in W.P.No.24661 of 2006. In spite of the same, the petitioner had



registered the said document. It is also submitted that the petitioner himself admitted, in his deposition, that he failed to verify the PTIN or prohibition details, and he assumed that the Court case was closed. As such, the said action of the petitioner demonstrates his lack of diligence and disregard for legal and procedural safeguards, thereby, affecting the sanctity of the public records, which could lead to multiplicity of litigation. Therefore, after due examination of the material evidence and the deposition of the petitioner, he was placed under suspension vide impugned order dated 11.06.2025, and subsequently, he was issued with a Charge Memo dated 06.08.2025, in terms of Rule 20 of the Telangana Civil Services (Classification, Control and Appeal Rules, 1991, for his involvement in the registration of Document No.1077/2025 as well as for violating Rule 26(4) of G.O.Ms.No.168 dated 07.04.2012, by registering the unauthorized structures. Thus, there is no procedural irregularity of *mala fide* intention in the impugned suspension order, warranting interference of this Court. Therefore, it is prayed to dismiss the present writ petition. Reliance has been placed on the decision of the Hon'ble Apex Court in **Union of India v. Ashok Kumar Aggarwal**¹ and a decision of the Division Bench of this Court in

¹ (2013) 16 SCC 147



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Buddana Venkata Murali Krishna v. State of Andhra Pradesh and others².

7. This Court has taken note of the rival submissions advanced by learned counsel for the respective parties.
8. A perusal of the impugned suspension order dated 11.06.2025 discloses that the petitioner, while working as Sub-Registrar, Sanjeevareddy Nagar, was placed under suspension on the allegation that he had fraudulently registered the Sale Deed bearing Document No.1077/2025 dated 04.04.2025, pertaining to the property bearing H.No.6-3-566, Meher Manzil, Somajiguda, Khairatabad, Hyderabad, without properly scrutinizing and verifying the ownership details and also the subsisting prohibition of registration on the said property. As can be seen from the record, the petitioner was subsequently issued with the Charge Memo.No.G/709/2025 dated 06.08.2025.
9. It is well-settled law that an order of suspension is only an administrative measure to facilitate a fair enquiry into the alleged misconduct. Unless such an order is shown to be vitiated by *mala fides* or in gross violation of the statutory provisions, Courts ordinarily refrain from interfering with such order, under Article 226 of the Constitution of

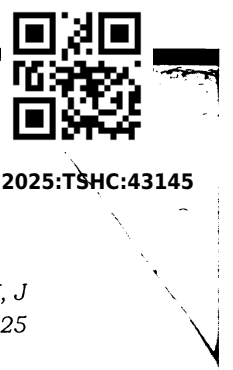
² 2016 (2) ALD 727 DB



India. This position has been affirmed by the Hon'ble Apex Court in

Ashok Kumar Aggarwal (supra), wherein, it was observed as follows:

"26. The scope of interference by the Court with the order of suspension has been examined by the Court in a large number of cases, particularly in *State of M.P. v. Shardul Singh* [(1970) 1 SCC 108] , *P.V. Srinivasa Sastry v. Comptroller & Auditor General* [(1993) 1 SCC 419 : 1993 SCC (L&S) 206 : (1993) 23 ATC 645] , *ESI v. T. Abdul Razak* [(1996) 4 SCC 708 : 1996 SCC (L&S) 1061] , *Kusheshwar Dubey v. Bharat Coking Coal Ltd.* [(1988) 4 SCC 319 : 1988 SCC (L&S) 950] , *Delhi Cloth & General Mills Ltd. v. Kushal Bhan* [AIR 1960 SC 806] , *U.P. Rajya Krishi Utpadan Mandi Parishad v. Sanjiv Rajan* [1993 Supp (3) SCC 483 : 1994 SCC (L&S) 67 : (1993) 25 ATC 764] , *State of Rajasthan v. B.K. Meena* [(1996) 6 SCC 417 : 1996 SCC (L&S) 1455] , *Prohibition and Excise Deptt. v. L. Srinivasan* [(1996) 3 SCC 157 : 1996 SCC (L&S) 686 : (1996) 33 ATC 745] and *Allahabad Bank v. Deepak Kumar Bhola* [(1997) 4 SCC 1 : 1997 SCC (L&S) 897] , wherein it has been observed that even if a criminal trial or enquiry takes a long time, it is *ordinarily* not open to the court to interfere in case of suspension as it is in the exclusive domain of the competent authority who can always review its order of suspension being an inherent power conferred upon them by the provisions of Article 21 of the General Clauses Act, 1897 and while exercising such a power, the authority can consider the case of an employee for revoking the suspension order, if satisfied that the criminal case pending would be concluded after an unusual delay *for no fault of the employee concerned*. Where the charges are baseless, mala fide or vindictive and are framed only to keep the delinquent employee out of job, a case for judicial review is made out. But in a case where no conclusion can be arrived at without examining the entire record in question and in order that the disciplinary proceedings may continue unhindered the court may not interfere. In case the court comes to the conclusion that the authority is not proceeding expeditiously as it ought to have been and it results in prolongation of sufferings for the delinquent employee, the court may issue directions. The court may, in case the authority fails to furnish proper explanation for delay in conclusion of the enquiry, direct to complete the enquiry within a stipulated period. However, mere delay in conclusion of enquiry or trial cannot be a ground for quashing the suspension order, if the charges are grave in nature. But, whether the employee should or should not continue in his office during the period of enquiry is a matter to be assessed by the disciplinary authority concerned and ordinarily the court should not interfere with the orders of suspension unless they are passed in mala fide and without there being even a prima facie evidence on record connecting the employee with the misconduct in question.



27. Suspension is a device to keep the delinquent out of the mischief range. The purpose is to complete the proceedings unhindered. Suspension is an interim measure in the aid of disciplinary proceedings so that the delinquent may not gain custody or control of papers or take any advantage of his position. More so, at this stage, it is not desirable that the court may find out as to which version is true when there are claims and counterclaims on factual issues. The court cannot act as if it is an appellate forum de hors the powers of judicial review."

10. Admittedly, in the instant case, no such infirmity is demonstrated, warranting interference with the impugned suspension order.

11. Further, the Division Bench of this Court, in **Buddana Venkata Murali Krishna** (supra), also emphasized that suspension serves as an interim measure to maintain the integrity of investigations and that such an order of suspension is justified when the allegations against the delinquent are serious in nature, involving moral turpitude. In this context, it is pertinent to refer to relevant portion of the said decision, which is extracted hereunder:

"Suspension, in the present case, is not a substantive punishment, and is an interim order pending enquiry/criminal proceedings. (Sasa Musa Sugar Works (P) Ltd. v. Shobrati Khan). Suspension of this kind is not a punishment but only forbids or disables the petitioner from discharging the duties of his office or the post held by him. In other words it is to restrain him from availing further opportunities of perpetrating the alleged misconduct or to remove the impression among members of the service that dereliction of duty would pay and the offending employee can get away pending inquiry without any impediment, or to prevent an opportunity to the delinquent officer to scuttle the inquiry or investigation or to win over the witnesses, or affording the delinquent the opportunity in office to impede the progress of the investigation or inquiry etc. (State of Orissa v. Bhimal Kumar Mohanty).

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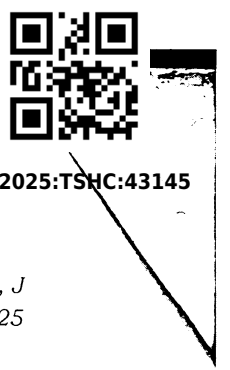
An order of suspension must be a step in aid to the ultimate result of the investigation or inquiry. The authority should also keep in mind the public interest of the impact of the delinquents continuance in office while facing departmental inquiry or trial of a criminal charge. (Ashok Kumar Aggarwal; Bimal Kumar Mohanty; R.P. Kapur; and Balvantrai Ratilal Patel). The importance and necessity of proper disciplinary action being taken against government servants for inefficiency, dishonesty or other suitable reasons, cannot be over emphasised. While such action may be against the immediate interest of the government servant, yet it is absolutely necessary in the interests of the general public for serving whose interests the government machinery exists and functions. Suspension of a government servant pending an enquiry is a necessary part of the procedure for taking disciplinary action against him. (Khem Chand v. Union of India).

...

Ordinarily, a government servant is placed under suspension to restrain him from availing the further opportunity to perpetrate the alleged misconduct or to scuttle the inquiry or investigation or to win over the witnesses or to impede the progress of the investigation or inquiry, etc. It would also remove the impression, among members of the service, that dereliction of duty would pay. (Ashok Kumar Aggarwal Bimal Kumar Mohanty). When serious allegations of misconduct are imputed against a member of a service, normally it would not be desirable to allow him to continue in the post where he is functioning. The government may rightly take the view that an officer, against whom serious imputations are made, should not be allowed to function anywhere before the matter has been finally set at rest after proper scrutiny and holding of departmental proceedings. (TarakNath Ghosh). The purpose of suspension is generally to facilitate a departmental enquiry and to ensure that, while such enquiry is going on-it may relate to serious lapses on the part of a public servant-, he is not in a position to misuse his authority in the same way in which he might have been charged to have done so in the enquiry. (R.P. Kapur).

...

The Supreme Court, in Ajay Kumar Choudhary, drew a distinction between cases where a charge sheet is filed within 90 days of the order of suspension and cases where it is not. The latter has been held to result in putting to an end the order of suspension, while the former has been held to require a reasoned order, extending the period of suspension, to be passed by the Government. However, in TarakNath Ghosh, the Supreme Court held that, in principle, there is no difference between the position of an officer against whom definite charges have been framed to which he is required to put in his written statement and a situation where, on receipt of allegations of grave misconduct against him, the Government is of opinion that it would not be proper to allow the officer concerned to function in the ordinary way."



The attention of the Supreme Court in *Ajay Kumar Choudhary*, was not drawn to its earlier judgments in *Ashok Kumar Aggarwal*; *SanjivRajan*; *L. Srinivasan*; and *Deepak Kumar Bhola*, wherein it was held that mere delay in conclusion of disciplinary proceedings or criminal cases or long period of suspension would not render the order of suspension invalid.

...

This Court may not, therefore, be justified in quashing the order of suspension following the judgment of the Supreme Court in *Ajay Kumar Choudhary*, as that would require it to ignore the Constitution bench judgments of the Supreme Court in *Khem Chand*, *R.P. Kapur* and *V.P. Girdroniya*; as also the other judgments of the Supreme Court in *Ashok Kumar Aggarwal*; *SanjivRajan*; *L. Srinivasan*; and *Deepak Kumar Bhola*."

12. It was also held in ***Buddana Venkata Murali Krishna*** (supra), that the continuation of suspension, in cases involving serious and grave allegations, is essential till the investigation is concluded or the criminal proceedings are resolved, so as to safeguard the public interest.

13. In view of the above and given that the gravity of allegations against the petitioner is serious, this Court is not inclined to interfere with the impugned suspension order dated 11.06.2025. However, having regard to the fact that the petitioner is aged about (60) years and is on the verge of retirement from service, this Court deems it fit and proper to direct the respondents to conclude the disciplinary proceedings initiated against the petitioner vide the Charge Memo dated 06.08.2025, strictly in accordance with law, as expeditiously as possible, preferably within a period of three (3) months from the date of



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receipt of a copy of this order. Needless to say, the petitioner shall also cooperate with the disciplinary authority for speedy conclusion of the disciplinary proceedings.

14. Subject to the above observations/directions, the Writ Petition is disposed of.

Miscellaneous applications, if any, pending in this writ petition, shall stand closed. No costs.

**SD/-P. PONNA KRISHNA
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Revenue (Regn-I) Department, State of Telangana, Secretariat, 4th Floor, B.R.K.Bhavani Hyderabad - 500022.
2. The Commissioner and Inspector General of Registration and Stamps, Telangana State, 4th Floor, Registration Bhavan, Nizam Shahi Road Hyderabad - 500024.
3. The Deputy Inspector General Registration and Stamps, Hyderabad e Floor, Registration Bhavan, Nizam Shahi Road, Hyderabad.
4. The District Registrar Office of District Registrar, Red Hills, Hyderabad (South).
5. One CC to SRI C. RAJA SEKHAR REDDY, Advocate [OPUC]
6. Two CCs to GP for Services-I, High Court for the State of Telangana at Hyderabad. [OUT]
7. Two CD Copies

MP
BS



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HIGH COURT

DATED:12/11/2025



ORDER

WP.No.18605 of 2025

DISPOSING OF THE WRIT PETITION

WITHOUT COSTS

(10) kpr
29/11/2025