



2025:TSHC:30495
[3302]

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

**THURSDAY, THE TWENTY FIRST DAY OF AUGUST
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HONOURABLE SRI JUSTICE K. SARATH

WRIT PETITION NO: 24830 OF 2025

Between:

1. Qudsiya Tabassum, W/o Mr Amjad Ali Khan, aged about 48 yrs, Occ. Housewife, R/o Doha, Qatar, rep. by her G.P.A. Syed Abdul Wahed, S/o late Syed Abdul Shafi, aged about 42 Yrs, Occ. Business, R/o H.No.9-4-116/56/C, Bal Reddy Nagar, Tolichowki, Hyderabad.
2. Mohammed Kamran, S/o Mohammed Sarwar Ali, aged about 36 yrs, Occ. Business, R/o H.no. 12-2-37/B/67/1, Zeba Bagh, Asif nagar, Hyderabad.

...PETITIONERS

AND

1. The State of Telangana, through its Principal Secretary, Stamps and Registration, having office at Secretariat, Hyderabad.
2. The Registrar, Stamps and Registration, RR District, having office at Kukatpally, RR District.
3. The Sub Registrar, Stamps and Registration, Chevella Mandal, RR District.

...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 pass an order, direction or a writ particularly in the nature of Writ of Mandamus declaring that the inaction on part of the respondent No. 3 in accepting and processing the registration of a sale deed presented by the petitioners in respect of plot No. 142, admn. 166.66 sq. yards, under SY. NO. 191, 192, 193, 184, 185 AND 258, Diamond Gate, Chilkoor Village and Grampanchayat, Moinabad Mandal, RR District, in favour of petitioner No.2, inspite of withdrawal of civil suit vide OS No. 169 of 2024 from the file of Junior Civil Judge, Cum Magistrate of First Class, RR District, at Chevella, is highly illegal, arbitrary, against the statute and unconstitutional. Consequently, this Hon'ble Court may be pleased to direct the respondent No. 3 to accept and



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process the registration of a sale deed presented by the petitioners in respect of plot No. 142, admn. 166.66 sq. yards, under SY. NO. 191, 192, 193, 184, 185 AND 258, Diamond Gate, Chilkoor Village and Grampanchayat, Moinabad Mandal, RR District, in favour of petitioner No.2, by recalling the prohibition order.

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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 pass an interim direction thereby directing the respondent No. 3 to accept and process the registration of a sale deed presented by the petitioners in respect of plot No. 142, admn. 166.66 sq. yards, under SY. NO. 191, 192, 193, 184, 185 AND 258, Diamond Gate, Chilkoor Village and Grampanchayat, Moinabad Mandal, RR District, in favour of petitioner No.2, by recalling the prohibition order, immediately and forthwith.

Counsel for the Petitioner: SRI MOHAMMAD ADNAN

**Counsel for the Respondents: SMT S.SRAVANTHI,
AGP FOR STAMPS & REGISTRATION**

The Court made the following: ORDER



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THE HONOURABLE SRI JUSTICE K.SARATH

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ORDER:

Heard Sri Mohammad Adnan, learned counsel for the petitioners and Smt. S.Sravanthi, learned Assistant Government Pleader for Stamps and Registration appearing for the respondent Nos.1 to 3 and perused the material on record. With their consent, this writ petition is disposed of at the stage of admission itself.

2. Aggrieved by the inaction of the respondent No.3 in accepting and processing the registration of a sale deed presented by the petitioners in respect of the plot No.142, admeasuring 166.6 Square yards, under Sy.No.191, 192, 193, 184, 185 and 258 situated at Diamond Gate, Chilkoor Village and Grampanchayat, Moinabad Mandal, Ranga Reddy District in favour of the petitioner No.2, in spite of withdrawal of Civil Suit vide O.S.No.169 of 2024 on the file of Junior Civil Judge cum Magistrate of First Class, Ranga Reddy District, at Chevella, the petitioners filed the present writ petition.



3. Learned Assistant Government Pleader for Stamps and Registration submits that without presenting the document, the petitioners have approached this Court seeking registration of the document. If the petitioners present the same before the Registering authority, the respondents will receive the same and follow the procedure as contemplated under Section 71 of the Registration Act, 1908 (for short, 'the Act, 1908').

4. The Section 71 of the Act, 1908, 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 recorded 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 made submissions coupled with the provision under Section 71 of the Act, 1908, this writ petition is disposed of directing the Registering Authority to receive, register and release the subject document by taking into account of the disposal of O.S.No.169 of 2024 on the file of Junior Civil Judge cum Magistrate of First Class, Ranga Reddy District, at Chevella, subject to the petitioners complying with the provisions of the Act, 1908 as well as the Indian Stamp Act, 1899. It will be open to the Registering Authority to refuse the document presented before him, if he has any objection, by duly assigning reasons in support of such decision and communicate the said decision to the petitioners. It is made clear that this Court has not expressed any opinion on merits of the case as to the entitlement of the petitioners to get the subject document registered. There shall be no order as to costs.

6. Miscellaneous Petitions, if any, pending in this writ petition shall stand closed.

SD/- T. SRINIVASA REDDY
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary Stamps and Registration, having office at Secretariat, Hyderabad, State of Telangana.
2. The Registrar, Stamps and Registration, RR District, having office at Kukatpally, RR District.



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3. The Sub Registrar, Stamps and Registration, Chevella Mandal, RR District.
4. One CC to SRI MOHAMMAD ADNAN, Advocate [OPUC]
5. Two CCs to GP FOR STAMPS & REGISTRATION, High Court for the State of Telangana at Hyderabad [OUT]
6. Two CD Copies

BSR

PVL *18*



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HIGH COURT

DATED:21/08/2025

ORDER

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**DISPOSING OF THE WRIT PETITION,
WITHOUT COSTS**

9 copies
for
4/9/25