



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

FRIDAY, THE TWENTY SECOND DAY OF AUGUST
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE K.LAKSHMAN

WRIT PETITION NO: 24924 OF 2025

Between:

Ambati Mallaiah, s/o Chennaiah, aged about 71 years, occ. Nil, r/o Chintalacheruvu village, Hathnoora Mandal, Sangareddy District.

...PETITIONER

AND

1. The State of Telangana, rep. by its Principal Secretary, Revenue Department Secretariat, Hyderabad
2. The District Collector, Sangareddy District at Sangareddy.
3. The Revenue Divisional Officer, Sangareddy Division, Sangareddy District.
4. Ambati Veeesham, s/o Ambati Mallaiah, aged About 40 years, occ. Farmer,
5. Ambati Chandu, s/o Ambati Veeresham, aged About 23 years, occ. Agricultue, Nos. 4 and 5 are r/o H.No. 1-35, thintalcheru Hatnoor Mandal, Sangareddy 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 issue an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, to declare the action of the 3rd respondent in issuing the impugned Endorsement No. A4/3173/2024 dt. 31-7-2025 refusing to consider the request of the petitioner for cancellation of the Gift Deed bearing Doc.No. 1532/2015 executed in favour of the 5th respondent on the ground that already the case is disposed of vide Procs. No. A4/3173/2024 dt. 15-1-2025, as being illegal, arbitrary, unjust and unconstitutional and consequently set aside the same.



2025:TSHC:28957

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 3rd respondent herein to cancel the registered Gift Deed bearing Doc.No. 1532/2015 dt. 28-1-2015 by suspending the impugned Endorsement No. A4/3173/2024 dt. 31-7-2025, pending disposal of the main Writ Petition.

Counsel for the Petitioner : SRI G.PRAVEEN KUMAR

Counsel for the Respondents No.1to3 : ASST. GP FOR WOMEN & CHILD WELFARE

Counsel for the Respondents No.4&5 : --

The Court made the following: ORDER



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THE HON'BLE SRI JUSTICE K. LAKSHMAN

WRIT PETITION No.24924 of 2025

ORDER:

Heard learned counsel for the petitioner and learned Assistant Government Pleader for Women and Child Welfare Department.

2. Petitioner herein is the father. The 4th respondent is the son and the 5th respondent is the grandson of the petitioner. The petitioner has executed two registered gift settlement deeds bearing No.1532 of 2015 dated 28.01.2015 in favour of 5th respondent and document No.1251 of 2021 in favour of 4th respondent. He has filed an application before the 3rd respondent under the provisions of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 (for short 'the Act, 2007') for cancellation of both the aforesaid two registered gift settlement deeds. Vide order dated 15.01.2025, the 3rd respondent allowed the said application directing the Tahsildar and Joint Sub-Registrar to cancel the Gift Settlement Deed bearing document No.1251 of 2021, duly following the procedure laid down under law. Feeling



aggrieved by the said order in not canceling another Gift Settlement Deed bearing document No.1532 of 2015, dated 28.01.2015, the petitioner has preferred an appeal in terms of Section 16(1) of the Act, 2007. Vide endorsement dated 17.05.2025 in Lr.No.C3/2592/2024, the 2nd respondent/appellate authority informed the petitioner to file an application before the 3rd respondent for rectification of the order, dated 15.01.2025. Therefore, he has approached the 3rd respondent with a request to rectify the said order. Vide endorsement dated 31.07.2025, the 3rd respondent rejected the said request saying that it is not maintainable. Therefore, challenging the said endorsement dated 31.07.2025 of 3rd respondent, petitioner filed the present Writ Petition.

3. As discussed supra, there is no dispute regarding the execution of two registered gift deeds by the petitioner in favour of respondents 4 and 5. The petitioner has filed an application in terms of the Act, 2007 before the 3rd respondent to cancel the aforesaid two registered gift settlement deeds. Vide order dated 15.01.2025, the 3rd



respondent cancelled only registered gift settlement deed bearing document No.1251 of 2021. Thus, he has not mentioned any reason with regard to denial of relief sought for by the petitioner for cancellation of the gift settlement deeds bearing Nos.1532 of 2015 dated 28.01.2015.

4. Challenging the said order to the extent of denial of the relief sought for by the petitioner to cancel the gift settlement deed bearing document No.1532 of 2015, dated 28.01.2015, petitioner has preferred an appeal in terms of Section 16(1) of the Act 2007 before the 2nd respondent. Instead of deciding the said appeal in accordance with the procedure laid down under law, vide endorsement dated 17.05.2025, the 2nd respondent requested the petitioner to approach the 3rd respondent seeking rectification of the said order. In fact, there is no provision under the Act, 2007 to rectify the order passed by the 3rd respondent by the 3rd respondent. The 2nd respondent has to dispose of the appeal filed by the petitioner in terms of Section 16(1) of the Act, 2007, in accordance with the procedure laid down under the Act. Instead of doing so, he has relegated the petitioner to 3rd respondent seeking rectification.



Therefore, the said endorsement dated 17.05.2025 of 2nd respondent is in violation of the procedure laid down under the Act, 2007 and also the principles of natural justice. Without considering the said aspects, vide endorsement dated 31.07.2025, the 3rd respondent rejected the request made by the petitioner. Therefore, both the endorsements in Lr.No.C3/2592/2024, dated 17.05.2025 of the 2nd respondent and endorsement No.A4/3173/2024, dated 31.07.2025 of 3rd respondent are liable to be set aside and accordingly, they are set aside.

5. Petitioner herein is 71 years old senior citizen. In the light of the aforesaid findings, notice to respondent Nos.4 and 5 is dispensed with. Matter is remitted back to the 2nd respondent with a direction to dispose of the appeal filed by the petitioner on 10.02.2025 challenging the order dated 15.01.2025 of 3rd respondent to the extent of denial of relief to him seeking cancellation of registered gift settlement deed bearing document No.1532 of 2025, dated 28.01.2015 and dispose it of in accordance with law, by putting the petitioner and respondents 4 and 5 on notice and afford



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them an opportunity. Since the petitioner is 71 years old, the 2nd respondent is directed to complete the said exercise within a period of 30 days from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition is disposed of. As a sequel, the miscellaneous petitions, if any, pending in the Writ Petition shall stand closed.

SD/- P. PONNA KRISHNA
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Revenue Department Secretariat, State of Telangana, Hyderabad
2. The District Collector, Sangareddy District at Sangareddy.
3. The Revenue Divisional Officer, Sangareddy Division, Sangareddy District.
4. One CC to SRI G.PRAVEEN KUMAR, Advocate. [OPUC]
5. Two CCs to GP FOR WOMEN & CHILD WELFARE DEPARTMENT, High Court for the State of Telangana. [OUT]
6. Two CD Copies.

BSK

PVL



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HIGH COURT

DATED:22/08/2025



ORDER

WP.No.24924 of 2025

**DISPOSING OF THE WRIT PETITION
WITHOUT COSTS**

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kpr
29/8/25