



**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

(Special Original Jurisdiction)

**FRIDAY, THE FIFTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HONOURABLE SRI JUSTICE GADI PRAVEEN KUMAR

WRIT PETITION NO: 23625 OF 2013

Between:

1. M. Venkat ram reddy,(Died as per LRs PP2 to 4), s/O Pochi Reddy, Aged 39 years,Occ: Business, Resident of H. No. 11-15/32/1, Doctors Colony, Saroornagar, R.R. District.
2. Pandi Anuradha,, W/o. Late M. Venkata Ram Reddy, aged 41 years, Occ Housewife, R/o. H. No. 1-30-357/1 (part), Plot Nos.22 and 23, Kanajiguda, Alwal Village, Malkajgiri Mandal, Medchal-Malkajgiri District.
3. Kumari Malgari Bilvani,, D/o. Late M. Venkata Ram Reddy, aged 9 years, Occ Student, R/o. H. No. 1-30-357/1 (part), Plot Nos.22 and 23, Kanajiguda, Alwal Village, Malkajgiri Mandal, Medchal-Malkajgiri District. Since minor, rep. by their natural mother Smt. Pandi Anuradha, W/o. Late M. Venkata Ram Reddy.
4. Kumari Malgari Tanvitha,, D/o. Late M. Venkata Ram Reddy, aged 7 years, Occ Student, R/o. H. No. 1-30-357/1 (part), Plot Nos.22 and 23, Kanajiguda, Alwal Village, Malkajgiri Mandal, Medchal-Malkajgiri District. Since minor, rep. by their natural mother Smt. Pandi Anuradha, W/o. Late M. Venkata Ram Reddy.

(Petitioners to 4 are brought on record as LRs of the deceased Petitioner no.1 as per C.O.dt.27.11.2025 in IA No.1/2024.)

...PETITIONERS

AND

1. The commissioner and Inspector General of Registration and stamps, A.P., Hyd, Mozamjahi Market, Hyderabad.
2. The Joint Sub-Registrar - 15, Vallabhnagar, R.R. District.
3. The Govt of A.P, rep by its Secretary to Government, Revenue Department, (office of the Commissioner and IG of Registration and Stamps), Secretariat building, Hyderabad.
4. M. Ravinder, S/o M.Dorawamy, Aged 46 years, Occ: Business, Resident of H.No.27-191, Tirumalagiri, Secunderabad.

RR3 & 4 are impleaded as per C.O dt 05.12.2025 in I.A No.2/2013 in W.P. No.31787/2013.

...RESPONDENTS



2025:TSHC:48739

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 Mandamus declaring the action of the 2nd Respondent in registering the deed of revocation dt. 13.05.2013 as illegal, arbitrary and in violation of Rule 26(i)(k)(i) of the A.P. Rules under the Registration Act. Consequently, set-aside the registered deed of revocation dt. 13.05.2013.

I.A. NO: 1 OF 2013(WPMP. NO: 29036 OF 2013)

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 suspend registered deed of revocation dt. 13.05.2013 registered by Respondent No. 2.

Counsel for the Petitioners:SRI. R. DHEERAJ SINGH

**Counsel for the Respondents No 1 & 2: SRI H. RAKESH KUMAR,
AGP FOR STAMPS & REGISTRATION.**

Counsel for the Respondent No 3: GP FOR REVENUE

Counsel for the Respondent No 4: ---

The Court made the following: ORDER



2025:TSHC:48739

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

THE HON'BLE SRI JUSTICE GADI PRAVEEN KUMAR

Writ Petition No.23625 OF 2013

DATE: 05.12.2025

Between:

M.Venkat Ram Reddy (died per LRs) and three others.

...Petitioner

AND

The Commissioner and Inspector General and others

...Respondents

ORDER:

Heard Sri R.Dheeraj Singh, learned counsel for the petitioner and Sri H.Rakesh Kumar, learned Assistant Government Pleader for Stamps and Registration representing respondent Nos.1 and 2.

2. The Writ Petition is filed challenging the action of respondent No.2 in registering the deed of revocation dated 13.05.2013, as illegal and a consequential direction to set aside the registered deed of revocation.

3. The facts leading to file the writ petition are that one M. Ravinder executed a release deed dated 02.07.2004 in respect of the property bearing No.1-30-357/1 (part) in plot Nos.22 and 23 in Survey Nos.403 and 404, admeasuring



200 square yards situated at Kanajiguda, Alwal village, Malkajgiri Mandal, R.R. District, comprising half share of joint rights, before the Sub-Registrar Office, in favour of the petitioner. The said Ravinder once again approached respondent No.2 and registered the deed of revocation dated 13.05.2013 for cancellation of release deed executed on 02.07.2004.

4. It is settled proposition of law by the Hon'ble Supreme Court in the case of **Satya Pal Anand Vs. State of Madhya Pradesh and others**¹ that the power to register a document of cancellation cannot be construed to confer a *quasi-judicial* power on the registering authority, and it is only when a sale deed is cancelled by a competent Court, the cancellation deed can be registered and that too, after notice to the parties concerned, and that the Rules make clear that both cancellation deed as well as registration were wholly void and *non-est* in the eye of law.

5. In this regard, it is appropriate to extract Rule 26(i)(k)(i) of the Rules hereunder :

"26(i) (k) (i) The registering officer shall ensure at the time of preparation for registration of cancellation deeds of previously registered deed of conveyances on sale before

¹ (2016) 10 SCC 767



him that such cancellation deeds are executed by all the executant and claimant parties to the previously registered conveyance on sale and that such cancellation deed is accompanied by a declaration showing natural consent or orders of a competent Civil or High Court or State or Central Government annulling the transaction contained in the previously registered deed of conveyance on sale:

Provided that the registering officer shall dispense with the execution of cancellation deeds by executant and claimant parties to the previously registered deeds of conveyances on sale before him if the cancellation deed is executed by a Civil Judge or a government officer competent to execute government orders declaring the properties contained in the previously registered conveyance on sale to be government or assigned or endowment lands or properties not registerable by any provision of law."

6. Further, the Hon'ble Supreme Court in the case of ***Thota Ganga Laxmi and another Vs. State of Andhra Pradesh and others***², held that it is only when a sale deed is cancelled by a competent Court that cancellation deed can be registered and that too after notice to the parties concerned.

7. Admittedly, respondent No.2 should have ensured that cancellation deed is executed by both the executants and claimant parties to the previously registered conveyance, accompanied by a declaration showing mutual

2.(2010) 15 SCC 207

consent, whereas in the absence of the same, respondent No.2 has no power to unilaterally register the deed of revocation. Therefore, this Court deems it appropriate, to meet the ends of justice, to set aside the impugned deed of revocation dated 13.05.2013 cancelling the release deed executed on 02.07.2004.

8. In the result, this Writ Petition is allowed. The impugned deed of revocation dated 13.05.2013 is set aside. There shall be no order as to costs.

Miscellaneous applications, if any pending, shall stand closed.

That the Rule Nisi has been made Absolute as stated above

Witness the Hon'ble The CHIEF JUSTICE SRI APARESH KUMAR SINGH, on this Friday, the Fifth Day of December Two Thousand and Twenty Five.

SD/-A. SRINIVASA REDDY
ASSISTANT REGISTRAR



//TRUE COPY//

SECTION OFFICER

To,

1. The commissioner and Inspector General of Registration and stamps, A.P., Hyd, Mozamjahi Market, Hyderabad.
2. The Joint Sub-Registrar - 15, Vallabhnagar, R.R. District.
3. The Govt of A.P, rep by its Secretary to Government, Revenue Department, (office of the Commissioner and IG of Registration and Stamps), Secretariat building, Hyderabad.
4. One CC to SRI. R DHEERAJ SINGH, Advocate [OPUC]
5. Two CCs to GP FOR STAMPS & REGISTRATION ,High Court for the State of Telangana at Hyderabad . [OUT]



2025:TSHC:48739

6. Two CCs to GP FOR REVENUE, High Court for the State of Telangana at Hyderabad. [OUT]
7. Two CD Copies

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BS



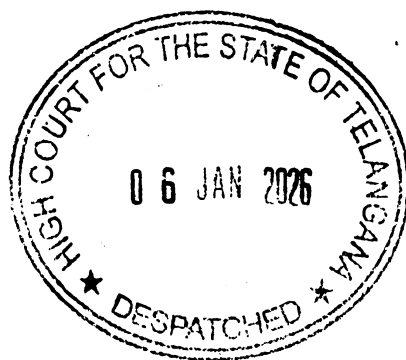
2025:TSHC:48739

HIGH COURT

DATED:05/12/2025

ORDER

WP.No.23625 of 2013



**ALLOWING THE WRIT PETITION
WITHOUT COSTS**

(11) MT
5/1/26