

[3384]

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

SATURDAY, THE TWENTY FIFTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE ANIL KUMAR JUKANTI

WRIT PETITION NO: 32217 OF 2025

Between:

Naveen Agarwal, S/o late Ramesh Agarwal, Aged about 47 years, Occ:
Business, R/o H.No.21-1-961, Ghansibazar, Hyderabad

...PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary (Stamps & Registration), Secretariat, Hyderabad.
2. The Sub Registrar, Shamshabad, Ranga Reddy District.
3. The Collector, Ranga Reddy District.
4. The Tahasildar, Shamshabad Mandal, Ranga Reddy 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 Writ, Order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondent No.2 i.e., The Sub- Registrar, Shamshabad, Ranga Reddy District, in refusing to register and release the Sale Deed vide Pending Document i.e., P.No.46/2025 presented by the petitioner in respect of all that the Plot No.111, admeasuring 192 Sq.Yards., in Sy.Nos.725/1, situated at Huda Colony, Shamshabad Village and Mandal, Ranga Reddy District, by way of issuing Intimation of Refusal No.15/2025 dated 23-04-2025, on the ground of that the survey numbers where the Petitioner's property is situated are notified under as prohibited property under section 22-A of Registration Act, 1908, Vide Notified Gazzette no. G.O.MS.NO.786 dated 09/11/1999, 2. As per the Prohibitory watch register of this office the above Sy.Nos.725/A/A and 725/9/A is covered under Prohibition Register Section 22-A of Registration Act 1908, Vide Notified Gazzette no. G.O.MS.NO.786 dated 09/11/1999, 2. As per the Tahsildar Notification of Government Lands the above Sy.Nos.725/A/A and 725/9/A are classified as Gairan communicated by the Tahsildar Shamshabad,

Vide Lr.No.B/230/2012, dated 09-03-2012 (copies enclosed) and 3. As per the District Collector Notification the above Sy.No. 725 were notified as assigned under section 22-A (1) (a) vide Letter No.4985 of 2013/Shamshabad/Shamshabad, dated 26-09-2013 as illegal, arbitrary, in violation of Articles 14, 21 and 300-A of Constitution of India and also in violation of Registration Act, 1908, besides in violation of principles of natural justice and consequently to direct the respondent No.2 herein to register and release the Sale Deed vide Pending Document i.e., P.No.46/2025 presented by the petitioner in respect of all that the Plot No.111, admeasuring 192 Sq.Yards., in Sy.Nos.725/1, situated at Huda Colony, Shamshabad Village and Mandal, Ranga Reddy District, without reference to the 1. As per the Prohibitory watch register of this office the above Sy.Nos.725/A/A and 725/9/A is covered under Prohibition Register Section 22-A of Registration Act 1908, Vide Notified Gazzette no. G.O.MS.NO.786 dated 09/11/1999, 2. As per the Tahsildar Notification of Government Lands the above Sy.Nos.725/A/A and 725/9/A are classified as Gairan communicated by the Tahsildar Shamshabad, Vide Lr.No.B/230/2012, dated 09-03-2012 (copies enclosed) and 3. As per the District Collector Notification the above Sy.No. 725 were notified as assigned under section 22-A (1) (a) vide Letter No.4985 of 2013/Shamshabad/Shamshabad, dated 26-09-2013 by setting aside the Intimation of Refusal No.15/2025 dated 23-04-2025.

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 respondent No.2 herein to register and release the Sale Deed vide Pending Document i.e., P.No.46/2025 presented by the petitioner in respect of all that the Plot No.111, admeasuring 192 Sq.Yards., in Sy.Nos.725/1, situated at Huda Colony, Shamshabad Village & Mandal, Ranga Reddy District, without reference to the 1. As per the Prohibitory watch register of this office the above Sy.Nos.725/A/A and 725/9/A is covered under Prohibition Register Section 22-A of Registration Act 1908, Vide Notified Gazzette no. G.O.MS.NO.786 dated 09/11/1999, 2. As per the Tahsildar Notification of Government Lands the above Sy.Nos.725/A/A and 725/9/A are classified as "Gairan" communicated by the

Tahsildar Shamshabad, Vide Lr.No.B/230/2012, dated 09-03-2012 (copies enclosed) and 3. As per the District Collector Notification the above Sy.No. 725 were notified as assigned under section 22-A (1) (a) vide Letter No.4985 of 2013/Shamshabad/Shamshabad, dated 26-09-2013 by suspending the Intimation of Refusal No.15/2025 dated 23-04-2025, pending disposal of the above writ petition

Counsel for the Petitioner: SRI KATIKA RAVINDER REDDY

**Counsel for the Respondents: MS DARA HARITHA KIRAN, AGP FOR STAMPS
AND REGISTRATION**

The Court made the following: ORDER

THE HON'BLE SHRI JUSTICE ANIL KUMAR JUKANTI

WRIT PETITION No.32217 OF 2025

ORDER:

This writ petition is filed with the following prayer:

"...to pleased to issue Writ, Order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondent No.2 i.e., The Sub-Registrar, Shamshabad, Ranga Reddy District, in refusing to register and release the Sale Deed vide Pending Document i.e., P.No.46/2025 presented by the petitioner in respect of all that the Plot No.111, admeasuring 192 Sq.Yards., in Sy.Nos.725/1, situated at Huda Colony, Shamshabad Village and Mandal, Ranga Reddy District, by way of issuing Intimation of Refusal No.15/2025 dated 23-04-2025, on the ground of that the survey numbers where the Petitioner's property is situated are notified under as prohibited property under section 22-A of Registration Act, 1. As per the Prohibitory watch register of this office the above Sy.Nos.725/A/A and 725/9/A is covered under Prohibition Register Section 22-A of Registration Act, 1908, Vide Notified Gazette no.G.O.MS. No.786 dated 09/11/1999, 2.As per the Tahsildar Notification of Government Lands the above Sy.Nos.725/A, A and 725/9/A are classified as "Gairan" communicated by the Tahsildar Shamshabad, Vide Lr.No.B/230/2012, dated 09-03-2012 (copies enclosed) and 3. As per the District Collector Notification the above Sy.No.725 were notified as assigned under section 22-A (1) vide Letter No.4985 of 2013/Shamshabad/Shamshabad, dated 26-09-2013 as illegal, arbitrary, in violation of Articles 14, 21 and 300-A of Constitution of India and also in violation of Registration Act, 1908, besides in violation of principles of natural justice and consequently to direct the respondent No.2 herein to register and release the Sale Deed vide Pending Document i.e., P.No.46/2025 presented by the petitioner in respect of all that the Plot No.111, admeasuring 192 Sq.Yards., in Sy.Nos.725/1, situated at Huda Colony, Shamshabad Village and Mandal, Ranga Reddy District, without reference to the 1. As per the Prohibitory watch register of this office the above Sy.Nos.725/A/A and 725/9/A is covered under Prohibition Register Section 22-A of Registration Act, 1908, Vide Notified Gazette no.G.O.MS.No.786 dated

09/11/1999, 2. As per the Tahsildar Notification of Government Lands the above Sy.Nos.725/A/A and 725/9/A are classified as "Gairan" communicated by the Tahsildar Shamshabad, Vide Lr.No.B/230/2012, dated 09-03-2012 (copies enclosed) and 3. As per the District Collector Notification the above Sy.No.725 were notified as assigned under section 22-A (1) (a) vide Letter No.4985 of 2013/Shamshabad/Shamshabad, dated 26-09-2013 by setting aside the Intimation of Refusal No.15/2025 dated 23-04-2025 and to pass..."

2. Heard Mr. Katika Ravinder Reddy, learned counsel for petitioner and Ms. Dara Haritha Kiran, learned Assistant Government Pleader for Revenue and Stamps & Registration for respondents.

3. Petitioner presented a document bearing No.46/2025 in respect of plot No.111, admeasuring 192 Sq.yards. in Sy.No.725/1 situated at Huda Colony, Shamshabad Village & Mandal, Ranga Reddy District.

4. Learned counsel for petitioner invited the attention of this Court to refusal order of Sub-Registrar, Shamshabad, dated 23.04.2025 (Page No.21, P1). It is brought to the notice of this Court by learned counsel that G.O.Ms.No.786, dated 09.11.1999 has been struck down by this Court and that Tahsildar, Shamshabad, has notified that land in Sy.No.725 is classified as 'Gairan' vide Letter No.B/230/2012, dated 09.03.2012. In this aspect, it is submitted that Tahsildar is not

the competent authority to issue letter. That it is the office of District Collector to communicate such letter. Hence, the letter is not in accordance with law. It is also brought to the notice of this Court that the said letter is under challenge in this writ petition.

5. Learned counsel invited the attention of this Court to the orders passed by learned Single Judges of this Court in W.P.No.4816 of 2025, dated 19.02.2025 (at Page No.48), in W.P.No.8939 of 2025, dated 25.03.2025 (at Page No.55), in W.P.No.305 of 2020, dated 07.01.2020 (at Page No.59) and in W.P.Nos.3486 & 3536 of 2020, dated 02.11.2021 (at Page No.63) and submitted that respondent authorities cannot refuse to register the sale deed (vide pending document i.e., P.No.46/2025) presented by petitioner.

6. In a judgment rendered by the Full Bench of this Court in ***Vinjamuri Rajagopala Chary Vs. State of Andhra Pradesh and others***¹, it is held that Collector is the competent authority to communicate the prohibited list, Tahsildar is not empowered.

¹ 2016 (2) ALD 236 (FB)

7. Having considered the factual matrix of the case and in view of the annexed documents and judgments relied upon by the counsel, this Court is of the considered opinion that Sub-Registrar be directed to register the subject property and release the document.

8. Needless to state that Sub-Registrar shall act in accordance with law and if for any reasons, he intends to refuse registration, he shall indicate his reasons for refusal in the order.

9. With the above observations, Writ Petition is disposed of "qua" the petitioner, "qua" the prayer. No order as to costs.

Miscellaneous applications pending, if any, shall stand closed.

SD/- C. DEEPIKA
ASSISTANT REGISTRAR

//TRUE COPY//

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SECTION OFFICER

To,

1. The Principal Secretary (Stamps and Registration), Secretariat, State of Telangana, Hyderabad.
2. The Sub Registrar, Shamshabad, Ranga Reddy District.
3. The Collector, Ranga Reddy District.
4. The Tahasildar, Shamshabad Mandal, Ranga Reddy District.
5. One CC to SRI KATIKA RAVINDER REDDY, Advocate [OPUC]
6. Two CCs to GP FOR STAMPS AND REGISTRATION, High Court for the State of Telangana. [OUT]
7. Two CD Copies

MMT
GJP

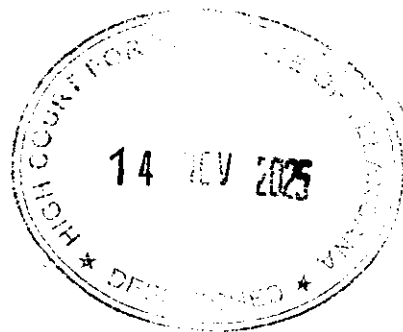
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HIGH COURT

DATED:25/10/2025

ORDER

WP.No.32217 of 2025



**DISPOSING OF THE WRIT PETITION
WITHOUT COSTS**

(10) lps
13/11/25