

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

THURSDAY, THE THIRTIETH DAY OF OCTOBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE K. SARATH

WRIT PETITION NO: 32868 OF 2025

Between:

Sri Nukala Venkat Reddy, S/o Late Nukala Ramakrishana Reddy, Aged about 60 years, Occ ; Retd. Govt. Employee, R/o H.No.1-6-141/2/12, R.T.Road, VRK Apartments, Suryapet, Suryapet District.

.....PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary, Revenue (Registration and Stamps) Department, Secretariat Building, Hyderabad.
2. The Commissioner and Inspector General of Registration and Stamps, Telangana State at Hyderabad.
3. The Sub-Registrar, Uppal, Medchal-Malkajgiri 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 a Writ, Order or Direction, more particularly, one in the nature of Writ of Mandamus, by declaring the action of the 3rd respondent in not receiving and to register and release the sale deed presented by the Petitioner in respect of the Flat No.503, in Fifth Floor, bearing Municipal No.2-3-759/2/SGH/503, (PTI - 1030210878) of SHREE GANESH HOMES with plinth area of 1560 Sft., (including common areas) and one car parking area, along with an undivided share of land admeasuring 44 Sq.Yds., or 36.78 Sq.Mtrs., out of total land admeasuring 647.5 Sq.yds., or 541.31 Sq. Mtrs., bearing Premises No.2-4-70/24/7C on Plot Nos.1 Part and 2, Situated at Ward No.2, Block No.4, Shree Ganesh Nagar Colony, Nagole, under G.H.M.C., Hayathnagar Circle, Uppal

Mandal. Medchal-Malkajgiri District, as illegal, arbitrary, unlawful, without jurisdiction and contrary to the provisions of the Registration Act and 1908 and in violation of Article 14 of Constitution of India and consequently to direct the 3rd respondent to receive, register and release the sale deed presented by the Petitioner in respect of above said property.

I.A.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 to receive, register and release the sale deed presented by the Petitioner in respect of the Flat No.503, in Fifth Floor, bearing Municipal No.2-3-759/2/SGH/503, (PTI -1030210878) of SHREE GANESH HOMES with plinth area of 1560 Sft., (including common areas) and one car parking area, along with an undivided share of land admeasuring 44 Sq.Yds., or 36.78 Sq.Mtrs., out of total land admeasuring 647.5 Sq.yds., or 541.31 Sq. Mtrs., bearing Premises No.2-4-70/24/7C on Plot Nos.1 Part and 2, Situated at Ward No.2, Block No.4, Shree Ganesh Nagar Colony, Nagole, under G.H.M.C., Hayathnagar Circle, Uppal Mandal, Medchal-Malkajgiri District, during the pendency of the above writ petition.

Counsel for the Petitioner : SRI METTU PRAVEEN KUMAR

Counsel for the Respondents : SMT S.SRAVANTHI, AGP FOR REVENUE

The Court at the stage of admission made the following ORDER

THE HONOURABLE SRI JUSTICE K.SARATH

WRIT PETITION No.32868 of 2025

ORDER:

Heard Mr. Mettu Praveen Kumar, learned counsel for the petitioner, Smt. S.Sravanthi, learned Assistant Government Pleader for Stamps and Registration appearing for the respondents 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 action of respondent No.3 in not receiving, registering and releasing the Sale Deed presented by the Petitioner in respect of the Flat No.503, in Fifth Floor, bearing Municipal No.2-3-759/2/SGH/503, (PTI - 1030210878) of Shree Ganesh Homes with plinth area of 1560 Sq. Feet, (including common areas and one car parking area), along with an undivided share of land admeasuring 44 Sq. Yards (or 36.78 Sq. Meters), out of total land admeasuring 647.5 Sq. yards (or 541.31 Sq. Meters), bearing Premises No.2-4-70/24/7C on Plot Nos.1

Part and 2, Situated at Ward No.2, Block No.4, Shree Ganesh Nagar Colony, Nagole, under G.H.M.C, Hayathnagar Circle, Uppal Mandal, Medchal-Malkajgiri District, the petitioner filed the present Writ Petition.

3. Learned Assistant Government Pleader for Stamps and Registration submits that without presenting the subject document, the petitioner has approached this Court seeking registration of the said document. If the petitioner presents 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 aforesaid 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 in respect of the subject property, subject to the petitioner 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 petitioner. It is made clear that this Court has not expressed any opinion on merits of the case as to the entitlement of the petitioner to get the subject document registered. There shall be no order as to costs.

Miscellaneous Petitions, if any, pending in this Writ
Petition, shall stand closed.

SD/- P. PONNA KRISHNA
ASSISTANT REGISTRAR

//TRUE COPY//

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SECTION OFFICER

To

1. The Principal Secretary, Revenue (Registration and Stamps) Department, Secretariat Building, State of Telangana at Hyderabad.
2. The Commissioner and Inspector General of Registration and Stamps, Telangana State at Hyderabad.
3. The Sub-Registrar, Uppal, Medchal-Malkajgiri District.
4. Two CCs to GP FOR REVENUE, High Court for the State of Telangana AT Hyderabad.[OUT]
5. One CC to SRI METTU PRAVEEN KUMAR, Advocate [OPUC]
6. Two CD Copies

SA
PVL

[Signature]

HIGH COURT

DATED:30/10/2025

ORDER

WP.No.32868 of 2025



DISPOSING OF THE W.P
AT THE STAGE OF ADMISSION
WITHOUT COSTS.

⑨ kpl
3/11/25