

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA PRADESH

* * *

WRIT PETITION No. 35970 of 2015

BETWEEN

Bilquis Banu

... PETITIONER

AND

The State of Telangana, rep. by its Principal Secretary and others

...RESPONDENTS

Date of Order pronounced: 04.11.2015

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

1. Whether Reporters of Local newspapers Yes/No

may be allowed to see the Judgments?

2. Whether the copies of judgment may be Yes/No

marked to Law Reporters/Journals?

3. Whether his Lordship wish to see the Yes/No

fair copy of the Judgment?

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ORDER:-

Heard.

2. Petitioner claims that he is having an agreement of sale from the original owner dated 05.12.1997 and that since he has paid the entire consideration, the possession was delivered to him and claims to be in possession throughout. Alleging that the said owner executed a registered gift deed bearing document No.3398 of 2015 dated 07.08.2015 in favour of his son, petitioner made an application before the fourth respondent dated 26.10.2015 requiring him to cancel the said registered gift deed. Alleging inaction on the part of the fourth respondent, the present writ petition is filed.

3. I am unable to see any reason to entertain the writ petition as registration authorities have no power to cancel the registered gift deed as sought for by the petitioner. If the petitioner is aggrieved by any such registered document, petitioner has to seek cancellation of the said document under Section 31 of the Specific Relief Act, 1963. No direction, therefore, can be given to the fourth respondent as sought for.

The writ petition is therefore dismissed. However, this order will not preclude the petitioner from taking appropriate legal proceedings for cancellation of the said gift deed. As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

VILAS V. AFZULPURKAR, J

November 4, 2015

LMV