

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

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WRIT PETITION No. 37831 of 2015

BETWEEN

Rasoori Sattaiah and others

... PETITIONERS

AND

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

...RESPONDENTS

Date of Order pronounced: 20.11.2015

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. Petitioners seek two reliefs viz., 1) against respondent Nos. 2 and 3 seeking not to entertain any sale deed or deeds in respect of the property claimed by the petitioners from any third parties and 2) direction to respondent No.7 not to entertain any application for mutation by any third parties i.e., respondent Nos.4 to 6 relating to the property claimed by the petitioners.

3. Both the reliefs cannot be granted by this court for different reasons. Insofar as relief No.1 against registration is concerned merely on the objection of the petitioner, respondent Nos.2 and 3 cannot refuse to register any document presented to them in accordance with the Indian Stamp Act and the Registration Act. Hence, if the petitioners are aggrieved by any such alienation or attempt to alienation, they have to approach competent civil court and seek appropriate orders. So far as relief No.2 is concerned, respondent No.7 is bound to process and pass orders on any application for mutation if made by any person on the basis of documents presented by such person. Hence, the general direction restraining respondent No.7 from entertaining any mutation proceedings either on behalf for respondent Nos.4 to 6 or any third party cannot be granted. It is open for the petitioners to file objections in any such mutation proceedings if entertained by respondent No.7 asserting his own right.

Writ petition is clearly misconceived and is accordingly dismissed. As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

VILAS V. AFZULPURKAR, J

November 20, 2015

LMV