

HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

W.P.No.8903 OF 2008

ORDER

The petitioner claims to have purchased an agricultural land of an extent of Ac.14-11 guntas in Sy.No.84/2/A/16 (new) 84/2/A (old), situated at Pulimamidi Village, Kandukur Mandal, Ranga Reddy District, vide registered sale deed bearing No.19165/2006, dated 22.09.2006 and he is in possession and enjoyment of the same. Along with the petitioner, respondents 3 to 5 purchased various extents of land under the same registered document, for a total consideration of Rs.18,00,000/- from the 2nd respondent. While so, when the petitioner enquired about the progress of mutation with the Mandal Revenue Officer, Kandukur Mandal, he was informed that the registered sale deed dated 22.09.2006 registered with the 1st respondent was cancelled by the 2nd respondent vide document No.26196/2006 dated 27.12.2006, without giving any notice to the petitioner. Hence, the present writ petition is filed.

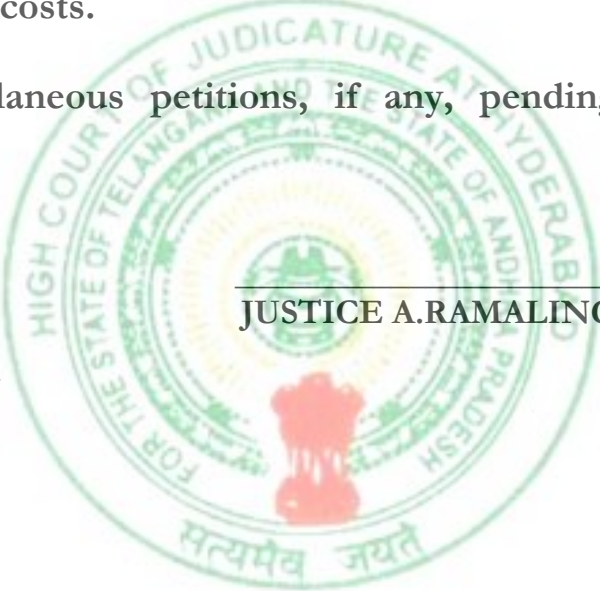
The issue with regard to unilateral cancellation of a sale deed was considered by the Full Bench of this Court in *Yanala Malleshwari v. Ananthula Sayamma*¹ and held that the writ petition is not maintainable for cancellation of an instrument

1. AIR 2007 AP 57

which purports to nullify a sale deed and the person aggrieved has to approach the Civil Court. The said Full Bench decision of this Court was referred in a decision of the Hon'ble Supreme Court reported in *Satya Pal Anand v. State of Madhya Pradesh*², with approval.

In view of the same, the present writ petition is dismissed leaving it open to the petitioner to challenge the deed of cancellation in a competent Civil Court, if she is so advised. No costs.

Miscellaneous petitions, if any, pending shall stand closed.



JUSTICE A.RAMALINGESWARA RAO

29th June, 2017
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² (2016 10 SCC 767)