

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No. 7820 of 2006

Order:

This Writ Petition was filed by the petitioner who claims to have purchased an agricultural land of an extent of Ac.13.05 gts., in Survey Nos.371 and 372 of Nandanam village, Bhongir Mandal, Nalgonda district under a registered sale deed dated 09.01.2006. After registration of the said sale deed, she received a letter from the Sub-Registrar stating that a deed of cancellation was executed by the same executants and informing the petitioner to take appropriate steps in the competent Court of law, if aggrieved by the cancellation of sale deed. After receipt of the said information, the petitioner obtained a copy of the deed of cancellation dated 06.04.2006 and filed the present Writ Petition.

Though an application was filed not to give effect to the cancellation deed, no orders were passed in view of the pendency of the matter before a Full Bench of this Court. The Full Bench of this Court in Yanala Malleshwari v. Ananthula Sayamma¹ held that the Writ Petition is not maintainable for cancellation of an instrument 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 Pradesh², 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

¹ AIR 2007 AP 57

² (2016) 10 SCC 767

competent Civil Court, if she is so advised. There shall be no order as to costs.

As a sequel thereto, the miscellaneous petitions pending in this Writ Petition, if any, shall stand closed.

A. RAMALINGESWARA RAO, J

Date: 22.06.2017
Nsr

