

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.8525 OF 2018

Date: 22.03.2018

Between:

G.Satyanarayana, s/o. late Nogoji, Aged about 63 years,
Occu: Business, r/o. H.No.1-10, Near Gram Panchayat
Office, Kokapet, Rajendranagar Mandal, R.R. district.

.....Petitioner

and

The State of Telangana, rep.by its Principal Secretary,
Department of Revenue, Secretariat, Hyderabad
and others.

.....Respondents



The Court made the following:

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ORDER:

According to petitioner, he is the son of late Nagoji, who owned land to an extent of Ac.1.13 guntas in Sy.No.129 of Kokapet village, Rajendranagar Mandal, Ranga Reddy District. His father died on 15.08.1965. According to petitioner, two incriminating documents claimed to have been executed by late Nagoji in the year 1979 vide sale deed dated 10.11.1979 to an extent of Ac.0.13 guntas and sale deed dated 09.01.1979 to an extent of Ac.1.00 guntas were created by playing fraud, even though late Nagoji died much earlier to those dates. Thereafter, there was some gift settlement deed made by the subsequent purchaser. In this writ petition, petitioner seeks declaration and direction that 3rd respondent-District Registrar erred in not verifying the proper credentials of the vendor and vendee, issued sale deeds in favour of 4th respondent on 09.11.1979 and 09.01.1979 and to direct the 3rd respondent to treat the above documents as null and void.

2. As briefly noted, in substance the claim of petitioner is after the death of owner of property, false documents were created and fraudulent transactions were made on the property belonging to the father of petitioner way back in the year 1979. Affidavit is silent as to the steps taken by petitioner on the alleged fraudulent transactions made in the year 1979. Further, without placing on record any material, petitioner seeks declaration that 3rd respondent-District Registrar erred in accepting the deeds of conveyance way back in the year 1979. No such direction, as sought for, can be granted in this writ petition. If the contention of

the petitioner is true, it requires going into the issue of date of death of his father, nature of execution of documents, year of execution of documents and all related issues arising there from. Petitioner ought to have availed appropriate civil law remedy against such transactions. Based on pleadings on record and submissions made by learned counsel, the relief sought by the petitioner cannot be granted. Furthermore, on an issue relating to the year 1979, petitioner cannot come to this Court after almost 40 years to seek declaration as noted above when transactions were made in the year 1979 and on the ground of inordinate delay and laches, writ petition is also liable to be dismissed. Petitioner cannot resurrect a cause of this nature after about 40 years. Writ Petition is accordingly dismissed.

Pending miscellaneous petitions shall stand closed. No costs.

JUSTICE P.NAVEEN RAO

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