

HONOURABLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.6212 of 2019

ORDER:

The prayer of the petitioner in this case reads as under:-

“For the reasons stated in the accompanying affidavit, it is hereby prayed that this Hon'ble Court may be pleased to issue an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus directing respondent Nos.3 and 4 not to entertain any documents submitted by the unofficial respondents with regard to land in Sy.No.46 situated at Upparpally Village, Rajendranagar Mandal, Ranga Reddy District, and consequently direct respondent Nos.5 to 8 not to alienate the property in favour of the 3rd parties in Sy.No.46 situated at Upparpally Village, Rajendranagar Mandal, Ranga Reddy District, and to pass such other order or orders as this Honourable Court may deem fit and proper in the facts and circumstances of the case.”

The only ground on which the petitioner seeks interdiction of entertainment of documents by the registration authorities in the event respondent Nos.5 to 8 present any such documents for registration in relation to the subject land is the pendency of Writ Petition No.3581 of 2016. Challenge in the said Writ Petition is to the order dated 05.12.2015 passed by the Joint Collector-II, Ranga Reddy District at Hyderabad, in exercise of revisionary power setting aside the appellate order dated 21.01.2015 passed by the Special Grade Deputy Collector and Revenue Divisional Officer, Rajendra Nagar Division, Ranga Reddy District.

It is an admitted fact that no interim orders were passed in the aforesaid Writ Petition, restraining either the unofficial respondents from resorting to alienations in relation to the subject land or interdicting the registration authorities from entertaining any documents for registration relating to such land.

As per Rule 58 of the Rules framed by the State under the Registration Act, 1908, it is not within the power of the registration authorities to either examine the validity of a document presented for registration or the title and ownership of the executant of such document. The scope of enquiry by the registration authorities as per this Rule is limited.

It is not the case of the petitioner that he seeks to bring the case within any of the limited issues that the registration authorities can look into, as per this Rule.

That being so, the prayer of the petitioner to direct the registration authorities not to entertain any documents submitted for registration by the unofficial respondents in relation to the subject land, without anything further, cannot be countenanced.

The Writ Petition is utterly misconceived and is accordingly dismissed.

Pending Miscellaneous Petitions, if any, shall also stand dismissed. No order as to costs.

26th March, 2019
dr

JUSTICE SANJAY KUMAR