

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.17744 OF 2019

ORDER:

Petitioners claim to be the joint owners of land to an extent of 4114 square yards in Sy.No.66, Khanamet village, Serelingampally Mandal, Ranga Reddy District. According to the petitioners, they entered into an agreement of sale and executed a registered sale deed bearing document No.2921 of 2014 in the office of the Joint Sub-Registrar, Ranga Reddy District on 06.03.2014 with respondent Nos. 4 to 6.

2. Petitioners allege that respondent Nos.4 to 6 have paid only part sale consideration, but erroneously they mentioned in the sale deed that the balance sale consideration also paid and in the said manner they have cheated the petitioners and got the property registered in their favour, and the same is illegal. Petitioners, therefore, seek a declaration that the action of the respondents 2 and 3 in registering the sale document as illegal.

3. As noted briefly, there was a sale deed executed by the petitioners and the document reflects the payment of full sale consideration and satisfied with the declaration given and in the presence of parties to the document, the registering authority registered the document. The petitioners now allege that they were not paid full sale consideration by the respondent Nos.4 to 6. It cannot be said that the registering authority illegally registered the

document when the petitioners admit that they are signatories to the document. There is no provision in the Registration Act, which vests power in the registering authority to refuse to register the document duly presented and in the presence of the parties. Once a document is registered, the registering authority becomes *functus officio* and therefore, the relief prayed in the writ petition cannot be granted. Therefore, the remedy of the petitioners is under civil law.

4. The writ petition is accordingly dismissed leaving it open to the petitioners to work out their remedies as available in law. No order as to costs.

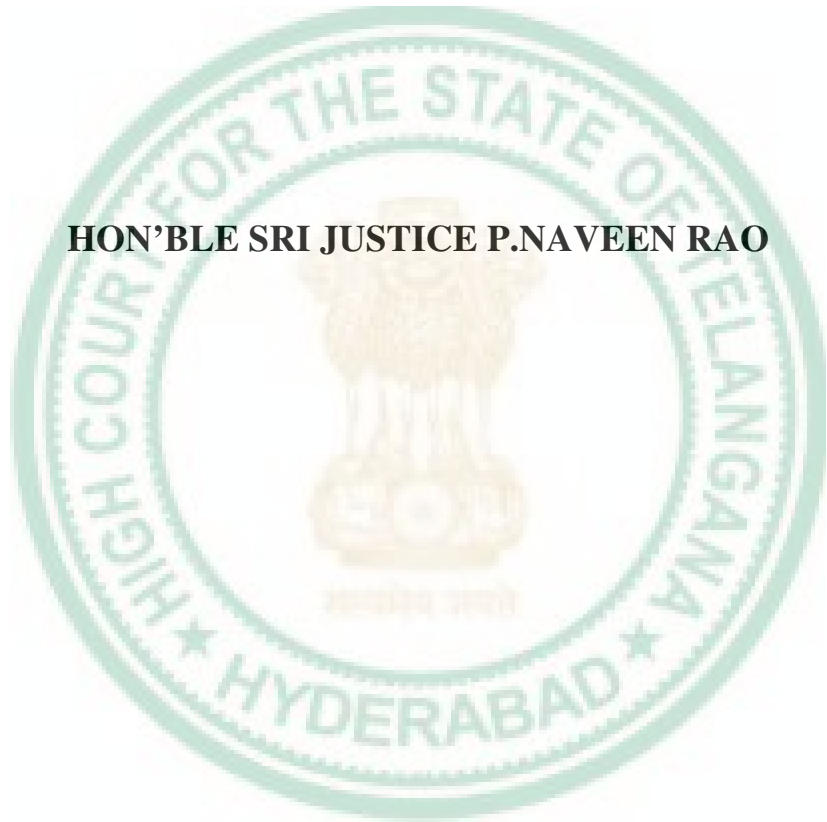
Pending miscellaneous petitions shall stand closed.

P.NAVEEN RAO, J

August 20, 2019

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HON'BLE SRI JUSTICE P.NAVEEN RAO



WRIT PETITION NO.11870 OF 2019

Date: 18.06.2019

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