

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.37421 of 2018

ORDER:

The prayer of the petitioners 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 a writ or order more particularly one in the nature of writ of mandamus declaring the action of the respondents 2 to 5 in entertaining the deeds and documents, in respect of petitioners landed properties covered by Survey Nos.11, 12, 248, 249, 250, 251, 257, 258, 259, 260, 261, 262, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 289, 290, 291, 292, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 355, 312, 556, 622, 670, 671, 675, 676, 677, 790, 791, 792, 793, 897, 293, 294 and 295 thus totally admeasuring Ac.753.36 guntas situated at Ravalkole village, Medchal Taluk, Rangareddy District that are presented by third parties inspite of the petitioners written representation dated 19-9-2018 and the same was acknowledged by the respondents 3 to 5 as illegal, arbitrary, unjust and also against the provisions of Registration Act, 1908, and Rules there on and also against Article 19, 21 and 300 A of Constitution of India and consequential directions to the respondents not to entertain any sale deed or sale deeds in respect of the petitioner landed properties covered by survey Nos. 11, 12, 248, 249, 250, 251, 257, 258, 259, 260, 261, 262, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 289, 290, 291, 292, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 355, 312, 556, 622, 670, 671, 675, 676, 677, 790, 791, 792, 793, 897, 293, 294 and 295 thus totally admeasuring Ac.753.36 guntas situated at Ravalkole village, Medchal Taluk, Rangareddy District that are presented by third parties forthwith and to pass such other order or orders as this Hon'ble Court may deem fit, just and proper in the circumstances of the case.’

It is an admitted fact that the petitioners do not have any order from a competent civil Court interdicting any private party from alienating

the lands in the subject survey numbers. Similarly, they have no order restraining the registration authorities from entertaining documents for registration relating to the land in the said survey numbers.

Without securing such relief from the competent civil Court, it is not open to the petitioners to come before this Court and seek a mandamus to the registration authorities not to entertain documents in relation to the lands in which they claim rights. Even if a representation is made in this regard by the petitioners, it would have no binding effect as the registration authorities are required by law to entertain and register documents presented to them subject to the restrictions envisaged by the law. In the absence of any duty cast upon the registration authorities to act upon the written representation dated 19.09.2018 made by the petitioners, this Court sees no reason to entertain this writ petition.

The writ petition is utterly devoid of merit and is accordingly dismissed.

Pending miscellaneous petitions, if any, shall also stand dismissed.
No order as to costs.

JUSTICE SANJAY KUMAR

Date:28.02.2019

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