

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.29235 OF 2019

Date: 02.01.2020

Between:

Basheer Ahmed, S/o Ameenuddin,
Aged 64 years, Occu: Business,
R/o H.No.8-4-544/M/12, New Sultan Nagar,
Erragadda, Hyderabad.

.....Petitioner

and

The State of Telangana, rep.by Special Chief Secretary to
Government, Revenue Department, Telangana Secretariat,
Hyderabad, Telangana and others.

.....Respondents

The Court made the following:



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ORDER:

Petitioner claims that he purchased Ac.1.20 guntas of land in Sy.No.170 of Mallampet village, Dundigal-Gandi Maisamma Mandal, Medchal Malkajgiri district, by way of registered sale deed dated 11.01.1973 from Sri G.Bikshapathi and ever since he is in possession and enjoyment of the same. Petitioner claims that he obtained sale deed on 25.12.2001, which was validated on 17.06.2014. Petitioner now alleges that the same property was subject matter of another sale transaction and in pursuant thereof, document is presented before the Registrar. Petitioner is objecting entertainment of such document for registration and filed this Writ Petition apprehending that the document is going to be registered by the Sub-Registrar, which was assigned P.No.390/2019. Admittedly, even according to the prayer in the writ petition, so far document is not registered. Even otherwise no provision is brought to my notice which enables filing of such objection before document is registered and this Court to direct the Registering Authority not to register the document, if the same is otherwise in compliance of requirement of Registration Act, Stamp Act and the Rules made there under. No direction as sought for can be issued. It cannot be said that petitioner is remediless if the document is registered in spite of alleged illegalities pointed out by the petitioner, including that properties are affected by the prohibition under Section 22-A of the Registration Act, 1908. Learned counsel for petitioner submits that though validation proceedings are issued, so far mutation proceedings are not finalized and mutation is not granted in favour of the petitioner. He would therefore submit that as the mutation proceeding is pending, at this stage, if the document is registered, mutation proceedings would be affected. This is entirely a different issue. It is for the petitioner to work out his remedies as available in law if document is registered. Writ Petition is dismissed. Pending miscellaneous petitions shall stand closed.

JUSTICE P.NAVEEN RAO

Date: 02.01.2020
Kkm

HONOURABLE SRI JUJSTICE P.NAVEEN RAO



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