

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)**

WEDNESDAY, THE NINTH DAY OF MARCH
TWO THOUSAND AND TWENTY TWO

PRESENT

THE HONOURABLE SRI JUSTICE B.VIJAYSEN REDDY

WRIT PETITION NO: 11989 OF 2022

Between:

Smt. Sabera Begum, W/o. Mohammed Hafeez, Aged 40 years, Occ: House Wife,
R/o. House No 1-22, Kothwalguda Village, Shamshabad Mandal, Ranga Reddy
District.

...PETITIONER

AND

1. State of Telangana, Rep by its Principal Secretary Revenue (Stamp and Registration Dept) Secretariat, Hyderabad.
2. The District Register, Stamps and Registration Department, Ranga Reddy District.
3. The Sub-Registrar, Stamps and Registration Department, SRO, Shamshabad, Ranga Reddy District.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue Writ of Mandamus or any other appropriate writ order or order by declaring the action of the respondents more particularly Respondent no 3 in refusing to receive the sale deed presented by the petitioner for the land in Sy. No 106/^A admeasuring 7018 Sq. Yards or 5867 Square meters situated at Kothwalguda Village, Shamshabad Mandal Ranga Reddy District which is illegally arbitrary and vioaltive of principles of natural justice and violative of Provisions of Stamps and Registration Act and consequently direct the

Respondent no 3 to receive, register, and release the sale deed pertain to the land in Sy. No 106/^A admeasuring 7018 Sq. Yards or 5867 Square meters situated at Kothwalguda Village, Shamshabad Mandal Ranga Reddy District which was presented by the petitioner.

IA NO: 1 OF 2022

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the respondent no 3 to receive, register, and release the sale deed pertain to the property in Sy. No 106/^A admeasuring 7018 Sq. Yards or 5867 Square meters situated at Kothwalguda Village, Shamshabad Mandal Ranga Reddy District which was presented by the petitioner pending disposal of the above writ petition.

Counsel for the Petitioner : SRI. B. SRIRAM KARTIK

Counsel for the Respondents : GP FOR REVENUE

The Court made the following : ORDER

THE HONOURABLE SRI JUSTICE B.VIJAYSEN REDDY

WRIT PETITION No.11989 of 2022

ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue for the respondents. With their consent, the writ petition is disposed of at the stage of admission.

2. The main grievance of the petitioner is that respondent No.3 is refusing to receive, register and release the sale deed presented by him in respect of the land in an extent of 7018 sq. yards in Sy.No.106/^A situated at Kothwalguda village, Shamshabad Mandal, Ranga Reddy District.

3. Learned Government Pleader has stated that the official respondents will follow the procedure contemplated under Section 71 of the Registration Act, 1908.

4. Section 71 of the Registration Act, 1908, reads as follows:

"Reasons for refusal to register to be recorded.—

(1) Every Sub-Registrar refusing to register a document, except on the ground that the property to which it relates is not situated within his sub-district shall make an order of refusal and recorded his reasons for such order in his Book No.2, and endorse the words "registration refused" on the document; and, on application made by any person executing or claiming under the document, shall, without payment and

unnecessary delay, give him a copy of the reasons so recorded.

(2) No registering officer shall accept for registration a document so endorsed unless and until, under the provisions hereinafter contained, the document is directed to be registered.

5. In view of the above submission made by the learned Government Pleader coupled with the provision of Section 71 of the Registration Act, 1908, the writ petition is disposed of directing the registering authority to receive and process the subject document, subject to the petitioner complying with the provisions of the Registration Act, 1908, and Indian Stamp Act, 1899. It will be open to the registering authority to refuse/receive the document presented before him, if he has any other objection, by duly assigning reasons in support of such decision and communicate the said decision to the petitioners.

The miscellaneous petitions pending, if any, shall stand closed. There shall be no order as to costs.

SD/-K.SAILESHI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Revenue (Stamp and Registration Dept), Secretariat, State of Telangana, Hyderabad
2. The District Register, Stamps and Registration Department, Ranga Reddy District.

3. The Sub-Registrar, Stamps and Registration Department, SRO, Shamshabad, Ranga Reddy District.
4. One CC to SRI. B. SRIRAM KARTIK, Advocate. [OPUC]
5. Two CCs to GP FOR REVENUE, High Court for the State of Telangana at Hyderabad. [OUT]
6. Two CD Copies
7. One Spare Copy

TR

SB

HIGH COURT

DATED:09/03/2022

ORDER

WP.No.11989 of 2022



**DISPOSING OF THE WRIT PETITION
WITHOUT COSTS**

[Handwritten signature]
09/04/2022