

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

**WEDNESDAY, THE THIRTY FIRST DAY OF DECEMBER
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HONOURABLE SRI JUSTICE K. SARATH

WRIT PETITION NO: 40220 OF 2025

Between:

Sri Divaj M. Sanghi, S/o. Sri Mukesh R. Sanghi, aged about 22 years, Occ ;
business, R/o. 8-2-583/1, Road No.7 Banjara Hills, Hyderabad.

.....PETITIONER

AND

1. State of Telangana, represented by its Principal Secretary Stamps and Registration department Secretariat, Hyderabad.
2. The District Registrar Hyderabad district, Red Hills, Hyderabad.
3. The Sub-Registrar, Charminar, Hyderabad.

.....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 pass an Order, Direction or Writ and more particularly one in the nature of Writ of Mandamus declaring action of the respondent No.3 of refusing to receive and register gift deed dated 14-12-2025 executed by his grandfather and another in respect of Unit No.2, a portion of the property bearing municipal Nos.22-6-694, 22-6-695 and 22-6-638, (PTI Nos.1042209224 and 1042210110) situated at Panjasha, Hyderabad, admeasuring 205.00 square yards, along with 200 square feet of constructed area, without giving any reason and vaguely stating that it is under prohibition on account of the government making claim over it, in spite of the petitioner submitting the order dated 06-06-2024 passed in W.P.No.13245/2022 by this Hon'ble Court, as illegal, arbitrary, high handed, unreasonable, contrary to law, principles of natural justice and the Constitution of India and consequently direct the respondent No.3 to receive, admit, register and

return to the petitioner the said gift deed without taking any objection as per challan No.606 MNP141225, in the interest of justice.

I.A.NO:1 OF 2025

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 pass an order directing the respondent No.3 to receive, admit, register and return to the petitioner the gift deed dated 14-12-2025 executed by his grandfather and another in respect of Unit No.2, a portion of the property bearing municipal Nos.22-6-694, 22-6-695 and 22-6-638, (PTI Nos.1042209214 and 1042210110) situated at Panjasha, Hyderabad, admeasuring 205 square yards along with 200 square feet of constructed area, as per challan No.606 MNP141225, pending disposal of writ petition, in the interest of justice.

Counsel for the Petitioner : SRI SHYAM S.AGRAWAL

Counsel for the Respondents : AGP FOR REVENUE

The Court made the following ORDER

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

THE HON'BLE SRI JUSTICE K.SARATH

WRIT PETITION No.40220 OF 2025

Date: 31.12.2025

Between:

Sri Divaj M.Sanghi

...Petitioner

AND

The State of Telangana, Rep. by its Principal Secretary,
Stamps and Registration Department, Secretariat, Hyderabad
& two others

...Respondents

ORDER:

Heard Sri Shyam S.Agrawal, learned Counsel for the petitioner and Smt. S.Sravanthi, learned Assistant Government Pleader for Stamps and Registration appearing for the respondents and perused the material on record. With their consent, this writ petition is disposed of at the stage of admission itself.

2. Aggrieved by the action of the respondent No.3 in refusing to receive and register Gift Deed dated

14.12.2025 executed by his grandfather and another in respect of Unit No.2 a portion of the property bearing Municipal Nos.22-6-694, 22-6-695 and 22-6-638 (PTI Nos.1042209224 and 1042210110) situated at Panjesha, Hyderabad, admeasuring 205.00 square yards, along with 200 square feet of constructed area, without giving any reason and vaguely stating that it is under prohibition on account of the Government making claim over it, in spite of the petitioner submitting the order dated 06.06.2024 passed in W.P.No.13245/2022 by this Court, the petitioner filed the present writ petition and requested to direct the respondent No.3 to receive, admit, register and return to the petitioner the said Gift Deed without taking any objection as per Challan No.606MMP141225.

3. Learned Assistant Government Pleader for Stamps and Registration submits that the respondents will receive the document presented by the petitioner vide Transaction No.AZLN25000297 dated 20.12.2025 as per

Challan No.606MMP141225 and process the same or follow the procedure as contemplated under Section 71 of the Registration Act, 1908 (for short, 'the Act, 1908') for rejecting the same.

4. The Section 71 of the 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 made submissions coupled with the provision under Section 71 of the Act, 1908, this writ petition is disposed of directing the Registering Authority to receive, register and release the subject

document presented by the petitioner vide Transaction No.AZLN25000297 dated 20.12.2025 as per Challan No.606MMP141225 in respect of the subject property, subject to the petitioner complying with the provisions of the Act, 1908 as well as the Indian Stamp Act, 1899. It will be open to the Registering Authority to refuse the document presented before him, if he has any objection, by duly assigning reasons in support of such decision and communicate the said decision to the petitioner. It is made clear that this Court has not expressed any opinion on merits of the case as to the entitlement of the petitioner to get the subject document registered. There shall be no order as to costs.

6. Miscellaneous Petitions, if any, pending in this writ petition shall stand closed.

//TRUE COPY//

SD/- C.DEEPIKA
ASS STANT REGISTRAR

SECTION OFFICER

To

1. The Principal Secretary, Stamps and Registration department Secretariat, State of Telangana at Hyderabad.
2. The District Registrar Hyderabad district, Red Hills, Hyderabad.
3. The Sub-Registrar, Charminar, Hyderabad.
4. Two CCs to GP FOR REVENUE, High Court for the State of Telangana at Hyderabad. [OUT]
5. One CC to SRI SHYAM S.AGRawal, Advocate [OPUC]
6. Two CD Copies

SA

kps

HIGH COURT

DATED:31/12/2025

ORDER

WP.No.40220 of 2025



**DISPOSING OF THE W.P
WITHOUT COSTS.**

⑨ *lps*
21/1/26