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

FRIDAY, THE TWENTY FOURTH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE PULLA KARTHIK

WRIT PETITION NO: 13099 OF 2026

Between:

1. Mohd Khakeel Khan, S/o. Mohammad Ahmed Khan, Aged 43 years, Occ. Water Servicing Centre, R/ o. 11-1-678, Chilkalguda, Secunderabad, TS-500061
2. Mohd Shakeel Khan, S/o. Mohammad Ahmed Khan, Aged 50 years, Occ. Carpenter, R/o. 11-1-678, Chilkalguda, Secunderabad, TS-500061
3. Nasreen Sulthana, W/o. Mohammad Yousuf Basha, Aged 44 years, Occ. Housewife, R/o. 6-1-171/3 and 4/1, Chilkalguda, Wesley Church Lane, Jamil Bin Osman Masjid, Secunderabad, TS-500025
4. Assiya Sulthana, W/o. Kaleemuddin Mohmmad, Aged 44 years, Occ. Housewife, R/o. 30-59/7/2, Old Safilguda, Hanuman Temple, Bharat Nagar, Malkajgiri, TS
5. Mohd Raziya Sulthana, W/o. Mohd Saber Ahmed, Aged 47 years, Occ. Housewife, R/o. 30-15/4, Bharat Nagar, Old Safilguda, Near Hanuman Temple, Old Safilguda, TS-500056

...PETITIONERS

AND

1. The State of Telangana, represented by its Principal Secretary (Stamps and Registration), Secretariat, Hyderabad.
2. The Sub-Registrar, Malkajgiri Mandal, Medchal Malkajgiri District.
3. The Telangana Wakf Board, Rep. by its Chief Executive Officer, Huz House, Nampally, 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 issue Writ or direction preferably Writ of Mandamus, declaring the action of the Respondent No.2, in not receiving, registering and releasing the Release Deed presented in respect of Residential House No. 30-59/7/2, on Plot No. 54, in Sy. No. 342/1 and 341, admeasuring about 215 Sq. Yrds. or 179.74 Sq. Mtrs. consisting of

Two Rooms, Latrin, Bathroom and some open space, and situated at Old Safilguda, Malkajgiri, Medchal-Malkajgiri (erstwhile Rangareddy District), is illegal, arbitrary and contrary to provisions of law and violation of Article 300-A of the Constitution of India, and consequently direct the Respondent No.2 to receive, process, register and release the Release Deed/ any other deeds that may be presented by the Petitioners in respect of Residential House No. 30-59/7/2, on Plot No. 54, in Sy. No. 342/1 & 341, admeasuring about 215 Sq. Yrds. or 179.74 Sq. Mtrs. consisting of Two Rooms, Latrin, Bathroom and some open space, and situated at Old Safilguda, Malkajgiri, Medchal-Malkajgiri (erstwhile Rangareddy District), without insisting No-objection Certificate (NOC) from the Respondent No.3.

I.A. NO: 1 OF 2026

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.2 forthwith to receive, process, register and release the subject Release Deed/any other deeds presented by the Petitioner in respect of Residential House No. 30-59/7/2, on Plot No. 54, in Sy. No. 342/1 & 341, admeasuring about 215 Sq. Yrds. or 179.74 Sq. Mtrs. consisting of Two Rooms, Latrin, Bathroom and some open space, and situated at Old Safilguda, Malkajgiri, Medchal-Malkajgiri (erstwhile Rangareddy District), without insisting No-objection Certificate (NOC) from the Respondent No.3, pending disposal of the writ petition in the interest of justice.

Counsel for the Petitioners: Ms. BOBBALA JYOTHIRMAI
Counsel for the Respondent Nos.1 & 2: Ms. S.SRAVANTHI,
AGP FOR STAMPS AND REGISTRATION
Counsel for the Respondent No.3: SRI FARHAN AZAM KHAN, SC FOR TSWB

The Court made the following: ORDER

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THE HON'BLE SRI JUSTICE PULLA KARTHIK

WRIT PETITION No.13099 OF 2026

24th APRIL, 2026.

Between:

Mohd. Khakeel Khan and 4 others.

...Petitioners

AND

The State of Telangana,
Rep. by its Principal Secretary,
Stamps and Registration,
Secretariat, Hyderabad and 2 others.

...Respondents

ORDER:

With the consent of both parties, this Writ Petition is taken up for disposal at the stage of admission.

2. Heard Ms. B. Jyothirmai, learned counsel for the petitioners; Ms. S. Sravanthi, learned Assistant Government Pleader for Stamps and Registration, appearing for respondent Nos.1 and 2; and Mr. Farhan Azam Khan, learned Standing Counsel for Telangana Waqf Board, appearing for respondent No.3.

3. Aggrieved by the action of respondent No.2 in refusing to receive, register and release the Release Deed presented by the petitioners in respect of subject property i.e., Residential House No.30-59/7/2, on Plot No.54, in Sy.Nos.342/1 and 341, admeasuring about 215 Sq. Yrds. or 179.74 Sq. Mtrs. situated at Old Safilguda, Malkajgiri, Medchal-Malkajgiri (erstwhile Rangareddy District), the petitioners filed the present Writ Petition.

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

5. 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.

6. In view of the above submissions coupled with the provision under Section 71 of the Registration Act, 1908, this Writ Petition is disposed of directing the Registering Authority to receive and process the document sought to be presented by the petitioners in respect of the subject property, subject to the petitioners complying with the provisions of the Registration Act, 1908 as well as the Indian Stamp Act, 1899. It will be open to the Registering Authority to refuse registration of the document presented before him, if he has any objection, and he shall assign reasons in support of such decision and shall also communicate the same to the petitioners. It is made clear that this Court has not expressed any opinion on the merits of the case as to the entitlement of the petitioners to get the subject document registered.

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

Sd/-A.SREENIVASA REDDY
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1. The Principal Secretary (Stamps and Registration), Secretariat, Hyderabad, State of Telangana.
2. The Sub-Registrar, Malkajgiri Mandal, Medchal Malkajgiri District.
3. The Chief Executive Officer, Telangana Wakf Board, Huz House, Nampally, Hyderabad.
4. One CC to Ms. BOBBALA JYOTHIRMAI, Advocate [OPUC]
5. Two CCs to GP FOR STAMPS AND REGISTRATION, High Court for the State of Telangana, at Hyderabad. [OUT]
6. One CC to SRI FARHAN AZAM KHAN, SC FOR TSWB [OPUC]
7. Two CD Copies

PSK.

CC TODAY

HIGH COURT

DATED: 24/04/2026



ORDER
WP.No.13099 of 2026

DISPOSING OF THE WRIT PETITION
WITHOUT COSTS

10 Copies
by
30/4/26