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

TUESDAY, THE TWENTY SEVENTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY SIX

**PRESENT**

**THE HONOURABLE SRI JUSTICE PULLA KARTHIK**

**WRIT PETITION NO: 36128 OF 2026**

**Between:**

Chikka Hemalatha, W/o. Sri. CH.Paramkusha, aged about 55 years, Occupation. Housewife, Resident of H.No.3-2-63/2/9, Bhavani Nagar, Mallapur Village, Uppal Mandal, Medchal-Malkajgiri District, Telangana.

**...PETITIONER**

**AND**

1. The state of Telangana, Represented by its Principle Secretary, Stamps and Registration Department, Secretariat, Hyderabad
2. The District Registrar, Medchal-Malkajgiri District, Telangana.
3. The Sub Registrar, Kapra Sub-Registration Office, Medchal-Malkajgiri District, Telangana.
4. The Telangana State Waqf Board, Represented by its Chief Executive Officer, Haj 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 a Writ Order or Direction more particularly one in the nature of Writ of Mandamus by declaring the action of the respondent No-3 authorities in not receiving and registering the Sale Deed presented by the petitioner in respect of that the House bearing No.3-2-63/2/9, (PTIN No.1010305970) and H.No.3-2-63/2/9/NR, (PTIN No.1010308072), on Plot No.9 Northern Part, admeasuring 150.0 Sq. Yards., or 125.40 Sq.Mtrs., and Plot No.9 Middle Portion, admeasuring 16.66 Sq. Yards., or 13.93 Sq.Mtrs., totally admeasuring 166,66 Sq. Yards or 139.33 Sq.Mtrs., with a Built-up area of 1851.75 Sq.Feet., consisting of Ground, First and Second Floor, in Survey Nos. 144 to 151, Situated at BHAVANI NAGAR, (erstwhile K.L. Reddy Nagar Nagar Colony), Colony), MALLAPUR VILLAGE, within the limits of Malkajgiri

Municipal Corporation, Nacharam Circle, Uppal Mandal, Medchal-Malkajgiri District., Telangana State on ground that the Waqf Gazette Notification dated 09-02-1989 at Sl No 2748 in Survey No 68/Part and mentioned in File No S49 / S LR/2017 dated 04.10.2017 is illegal arbitrary contrary to law since the Gazette Notification was set aside by this Hon'ble Court judgment reported in 20023 ALT 439 and judgments of this Hon'ble Court in WP. No. 21896 of 2023 dated 11-12-2023, WP .No. 22567 of 2024, dated 23-09-2024 and also WP. No 8410 of 2025 dated 21-03-2025 and consequently direct the respondent No 3 to entertain and register Sale Deed presented by the petitioner in respect of aforementioned plot without reference to the said Waqf Gazette Notification and release the registered sale deed and may pass and release the registered sale deed to the petitioner.

**Counsel for the Petitioner: M/S JMS LAW FIRM ADVOCATES AND ASSOCIATES**

**Counsel for the Respondent Nos.1 TO 3: AGP FOR STAMPS AND REGISTRATION**

**Counsel for the Respondent No.4: SRI SYED NAJMUL HASSAN BAQRI, 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.36128 OF 2026**

**CNR No.HBHC010728902026**

**27TH OCTOBER, 2026**

**Between:**

Chikka Hemalatha

...Petitioner

**AND**

The State of Telangana,
Rep. by its Principal Secretary,
Stamps and Registration Department,
Secretariat, Hyderabad and 3 others.

...Respondents

**O R D E R :**

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

**2.** Heard learned counsel for the petitioner; learned Assistant Government Pleader for Stamps and Registration appearing for respondent Nos.1 to 3; and Mr. Syed Najmul Hassan Baqri, learned Standing Counsel for Telangana State Waqf Board, appearing for respondent No.4.

**3.** Aggrieved by the action of respondent No.3 in refusing to receive and register the Sale Deed document sought to be

presented by the petitioner in respect of House Nos.3-2-63/2/9 and 3-2-63/2/9/NR, on Plot No.9 Northern Part, admeasuring 150.0 sq. yards. or 125.40 sq. mtrs., and Plot No.9 Middle Portion, admeasuring 16.66 sq. yards. or 13.93 sq. mtrs., total admeasuring 166.66 sq. yards or 139.33 sq. mtrs., with a Built-up area of 1851.75 sq. feet, consisting of ground, first and second floor, in Survey Nos.144 to 151, situated at Bhavani Nagar, (erstwhile K.L. Reddy Nagar Colony), Mallapur Village, within the limits of Malkajgiri Municipal Corporation, Nacharam Circle, Uppal Mandal, Medchal-Malkajgiri District, the petitioner filed the present Writ Petition.

**4.** Learned Assistant Government Pleader submits that respondent Nos.1 to 3 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 process the documents sought to be presented by the petitioner in respect of the subject property, subject to the petitioner 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 documents 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 petitioner. It is made clear that this Court has not expressed any opinion on the merits

of the case as to the entitlement of the petitioner to get the subject document registered.

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

**SD/- S.MALLIKARJUNA RAO**
**ASSISTANT REGISTRAR**

**//TRUE COPY//**

**SECTION OFFICER**

**To**

1. The Principle Secretary, Stamps and Registration Department, Secretariat, Hyderabad, State of Telangana.
2. The District Registrar, Medchal-Malkajgiri District, Telangana.
3. The Sub Registrar, Kapra Sub-Registration Office, Medchal-Malkajgiri District, Telangana.
4. The Chief Executive Officer, Telangana State Waqf Board, Haj House, Nampally, Hyderabad.
5. One CC to M/s JMS LAW FIRM ADVOCATES AND ASSOCIATES, Advocate [OPUC]
6. Two CCs to GP FOR STAMPS AND REGISTRATION, High Court for the State of Telangana, at Hyderabad. [OUT]
7. One CC to SRI SYED NAJMUL HASSAN BAQRI, SC FOR TSWB [OPUC]
8. Two CD Copies

PSK.
PSK



CC TODAY

HIGH COURT

DATED: 27/10/2026




ORDER
WP.No.36128 of 2026

DISPOSING OF THE WRIT PETITION

WITHOUT COSTS.

