
(2025) 10 TEL CK 1238
In the Telangana High Court
Case No : Writ Petition No.25041 Of 2025

Guda Sunanda

APPELLANT

Vs

State of Telangana

RESPONDENT

Date of Decision : 30-10-2025

Acts Referred:

Registration Act, 1908 — Section 21, 22

Citation : (2025) 10 TEL CK 1238

Hon'ble Judges : K.Sarath, J

Bench : Single Bench

Advocate : B. Mahender Reddy, S.Sravanthi

Final Decision : Dismissed

Judgement

K.Sarath, J

1. This writ petition is filed questioning the action of the respondent authorities in registering the documents including sale deeds without plot numbers executed by the respondent No.5 in respect of residential plots of land located in Sy.No.306 situated at Shayampet Jagir, Hunter Road, Khazipet Mandal, Hanumakonda District as illegal and arbitrary and to direct the respondent Nos.3 and 4 not to register the sale deeds in respect of the said land without plot numbers.

2. Heard Sri B. Mahender Reddy, learned counsel for the petitioner and Smt S. Sravanthi, learned Assistant Government Pleader for Stamps and Registration for the respondent Nos.1 to 4.

3. Learned Counsel for the petitioner submits that the grandfather of the respondent No.5 namely Bollam Ilaiiah was the Hissedar (shareholder) for the land admeasuring to an extent of Ac.1-38 gts in Sy.No.306/B situated at Shayampet Jagir, Hanumakonda i.e. schedule land. As per the settlement/exchange/adjustment of lands, the schedule land was given to Bollena Rama Swamy, Bollena Veeraiah @ Veeramallu and Velpula Cheralu more than 70 years

ago and their names were recorded in the revenue records in possessory column right from 1964-65 onwards and thus, Bollam Ilaiah has no right or title over the schedule land. Subsequently, the legal heirs of said persons had alienated the property to the third parties through various registered documents. The said executants of the documents along with others have converted the land into residential plots long back in the year, 1989 and alienated the said plots to various purchasers through registered sale deeds with plot numbers and thus, no land is left with the original owners. In view of converting the schedule land into residential plots, the land ceased to be agriculture and accordingly the same was recorded in the revenue records as plots/residential area, however the name of the owner was continued as Bollam Ilaiah in the revenue records even after change of ownership after his death also.

4. Learned Counsel for the petitioner further submits that the petitioner is absolute owner and possessor of the plot of land admeasuring 300 sq. yards in Sy.No.306 having acquired through registered gift deed No.12303/2017 dated 21.10.2017 and she has constructed a compound wall and her unapproved plot was regularized vide Proc.No.C/GWMC/101023/2020 dated 16.05.2025. While it being so, taking advantage of the entries in the revenue records in respect of non-agricultural land, the respondent No.5 and others to cheat and to cause loss and damage to the purchasers and the owners of plots of land in the schedule land including the petitioner, have created a partition deed between them in respect of non-available schedule land vide document No.6941/2016 dated 30.05.2016 and started selling the schedule land without indicating the plot numbers which is not identifiable on the field. Basing on the said documents, several individuals are trying to interfere with the peaceful possession and enjoyment of the plot owners including the petitioner. He submits that the registering authorities contrary to Sections 21 and 22 of the Registration Act, 1908 read with Rules 26 and 30 and contrary to the circular instructions issued by the respondent No.2 are registering the documents without plot numbers and the same is arbitrary and illegal and requested to allow the writ petition by directing the respondents not to register the documents in respect of the schedule land without plot numbers.

5. On the other hand, learned Assistant Government Pleader for Stamps and Registration submits that the petitioner has purchased the property admeasuring 300 sq. yards, but she sought for not to register the documents pertaining to the other land in Sy.No.306 situated at Shayampet Jagir, Hunter Road, Khazipet Mandal, Hanumakonda District without any right over the said property. Moreover, the petitioner has also purchased the land in an unauthorized layout in the year, 2017 and subsequently she has regularized her property in the year, 2025. Now, she seeks a direction to the registering authorities not to register the documents without plot numbers. Moreover basing on the representation filed by the petitioner, the Sub-Registrar, Warangal has informed her through Lr.No.Protest/2025 dated 02.08.2025 that the registration cannot be stopped basing on simple representation and advised her to approach the Court of Law

for justice. In view of the same, without questioning the said letter dated 02.08.2025, the petitioner filed the instant writ petition and the same is liable to be dismissed and requested to dismiss the writ petition.

6. After hearing both sides and perusal of the record, this Court is of the considered view that the main grievance of the petitioner herein is that the registering authorities are registering the documents pertaining to the land in Sy.No.306 situated at Shayampet Jagir, Hunter Road, Khazipet Mandal, Hanumakonda District executed by the respondent No.5 in favour of the third parties without mentioning the plot numbers.

7. The contention of the petitioner is that the name of the grandfather of the respondent No.5 was recorded as pattadar in the revenue records more than 70 years back and the same was alienated by the grandfather of the respondent No.5 to the third parties and subsequently the same was alienated to several others. Thus, the petitioner has purchased the property admeasuring 300 sq.yards in Sy.No.306/H/1/2 through registered document No.12303/2017 dated 21.10.2017 on the file of Joint Sub-Registrar, Warangal. Subsequently the said unapproved plot was regularized by the competent authority in proceedings No.C/GWMC/101023/2020 dated 16.05.2025.

8. The further contention of the petitioner is that the respondent No.5 without mentioning the plot numbers is selling the land in Sy.No.306 to the third parties without any land available in Sy.No.306 and basing on the said registered documents, the third parties are interfering with the possession of the petitioner and others. The contention of the petitioner is very vague as she has not mentioned about the persons who are interfering with her possession over the subject property and without there being any cause of action filed this writ petition. Moreover if the third parties are interfering with the possession of the petitioner, she has right to approach the competent Civil Court and take appropriate steps by filing a civil suit and without doing the same, she has filed the present writ petition seeking to stop the registration till the respondent No.5 has executed the sale deeds with plot numbers and the said contention cannot be acceptable as there is no cause of action to the present writ petition and with the said vague contentions, the writ petition cannot be maintainable.

9. The other contention of the petitioner is that the registration of documents by the registering authorities is contrary to Sections 21 and 22 of the Registration Act, 1908 and the Rules made thereunder and also as per the Circular issued by the respondent No.2. In fact, the said Sections and the Circular are not applicable to the instant case as the petitioner has not impleaded the effected parties whose documents are registered without any plot numbers. Moreover, the petitioner without challenging the letter No.Protest/2025 dated 02.08.2025 issued by the Joint Sub-Registrar, Warangal in response to her representation filed the present writ petition. If the petitioner has any grievance against the third parties, she can approach the competent Civil Court for protecting her property, but cannot ask to stop the registration of the documents of others property situated

in Sy.No.306 in a particular way.

10. Moreover, recently the Hon'ble Supreme Court in K. Gopi Vs. Sub-Registrar 2025 SCC Online SC 740 has categorically held that the registering authority has no role to verify the title of the parties and held in para No.15 as under;

"15. The registering officer is not concerned with the title held by the executant. He has no adjudicatory power to decide whether the executant has any title. Even if an executant executes a sale deed or a lease in respect of a land in respect of which he has no title, the registering officer cannot refuse to register the document if all the procedural compliances are made and the necessary stamp duty as well as registration charges/fee are paid. We may note here that under the scheme of the 1908 Act, it is not the function of the Sub-Registrar or Registering Authority to ascertain whether the vendor has title to the property which he is seeking to transfer. Once the registering authority is satisfied that the parties to the document are present before him and the parties admit execution thereof before him, subject to making procedural compliances as narrated above, the document must be registered. The execution and registration of a document have the effect of transferring only those rights, if any, that the executants possesses. If the executant has no right, title, or interest in the property, the registered document cannot effect any transfer".

The above finding of the Hon'ble Supreme Court squarely apply to the instant case.

11. The petitioner without any right over the subject property and without any cause of action has filed the instant writ petition and the same is liable to be dismissed.

12. Accordingly, the Writ Petition is dismissed. No order as to costs.

13. Miscellaneous petitions, if any pending in this writ petition, shall stand closed.