

**(2025) 02 TEL CK 0969**  
**In the Telangana High Court**  
**Case No : Writ Petition No.7172 Of 2023**

Puli Badraiah

APPELLANT

Vs

State of Telangana

RESPONDENT

**Date of Decision :** 10-02-2025

**Acts Referred:**

Constitution of India, 1950 — Article 14, 16, 309

**Citation :** (2025) 02 TEL CK 0969

**Hon'ble Judges :** Namavarapu Rajeshwar Rao, J

**Bench :** Single Bench

**Advocate :** Sri Siva, Goda Rama Lakshmi

**Final Decision :** Disposed Of

## Judgement

N.V. Shravan Kumar, J

1. This writ petition is filed seeking the following prayer:

" to issue any writ order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents more particularly respondent No.3 herein in issuing Memo vide Memo No.7652/G1/2022 dated 10-05-2022, cancelling the sale deed vide document No.449 of 2017 and thereby registering the sale deed executed by respondent No. 5 in favour of respondent No.6 vide Document bearing No. 15960 of 2022 dated 01-09-2022, in respect of Plot bearing No. 21 admeasuring 418.5 Sq.Yards in Sy.No. 194 (Part) situated at Kondapur Village, Serilingampally Mandal, Ranga Reddy District as illegal, arbitrary, without jurisdiction, void non est, vitiated by fraud and contrary to the Registration Act-1908 and consequently set aside the Memo vide Memo No. 7652/G1/2022, dated 10-05-2022 issued by the respondent No.3 and thereby cancel the registered Sale Deed executed by respondent No. 5 in favour of respondent No. 6 vide Document bearing No. 15960 of 2022 dated 01-09-2022, in respect of Plot bearing No. 21 admeasuring 418.5 Sq. Yards in Sy.No 194 (Part) situated at Kondapur Village, Serilingampally Mandal, Ranga Reddy as null and void in view

of the order dated 12-12-2022 in W.P.No.24780 of 2022 passed by the Honble High Court.”

2. Heard learned Sri M. Jayasimha Reddy, learned Counsel, appearing for the petitioner and learned Government Pleader for Revenue, appearing for the respondent Nos. 1 to 4.

3. The brief facts of the case are that the petitioner claims to be absolute owner and peaceful possessor of Plot Bearing No.21, admeasuring 418.5 Sq.yards in Sy.No.194 (Part) situated at Kondapur Village, Serlingampally Mandal, having acquired the same from respondent No.5, through registered sale deed vide document bearing No.449/2017 dated 18. 01.2017. Later, the petitioner alienated part of the subject property admeasuring 209.25.Sq.yards under registered sale deed vide document bearing No.19964 of 2021, dated 20. 11.2021.

4. While things stood so, as a part of regular verification of the encumbrance certificate, the petitioner came to know that his sale deed vide document bearing No.449 of 2017 was cancelled vide proceedings in O.S.No.296 of 2022 on the file of Principal Junior Civil Judge, KP DR Memo No.7652/G1/2022, dated 10.05.2022. Upon such verification, the petitioner came to know that respondent No.5 had filed suit against the petitioner vide O.S.No.296 of 2022, seeking declaration of the registered sale deed Doc.No.449 of 2017 dated 18.01.2017 as null and void.

5. Learned counsel for the petitioner submitted that the document No.449 of 2017, dated 15.01.2017, was executed by one Sri Shaik Mohammed in favour of the petitioner. The said plot was allotted and registered vide document No.2483 of 1982 in favour of Sri Shaik Mohammed by ALIND Industrial Housing Cooperative Society Limited. Learned counsel further submitted that the same link document No.2483 of 1982, dated 5. 04.1989, is a registered schedule property in the name of respondent No.6. Thereafter, respondent No.5 filed O.S.No.296 of 2022 on the file of the Principal Junior Civil Judge, Kukatpally, wherein no notice was issued to the petitioner and within a week, the same was referred to Lok Adalat and award was passed stating the matter is compromised. Subsequently, respondent No.5 approached concerned sub-registrar for cancellation of sale deed in favour of the petitioner and the same was cancelled vide Memo.7652/G1/2022, dated 10.05.2022.

6. Learned counsel further submits that though petitioners name appears as respondent in the said suit, he neither contested nor compromised. Therefore, the order passed in the said suit is no binding on the petitioner.

7. Aggrieved by the award dated 26.04.2022, petitioner filed W.P.No.24780 of 2022 and the Hon'ble Division Bench of this Court vide order dated 26.09.2022 has passed the following order:

“5. The said Memos are taken on record vide USR Nos.111679 of 2022 dated

06.12.2022 and 114467 of 2022 dated 12.12.2022 and in terms of the two Memos respectively filed by the parties, we set aside the Award of Lok Adalat and O.S.No.296 of 2022 is remanded to the Court of Principal Junior Civil Judge-Cum-VIII Metropolitan Magistrate, Ranga Reddy District at Kukatpally for adjudication of the suit on merits. It is also made clear that in the peculiar facts of this case, this order is passed and the same cannot be treated as a precedent.

6. Accordingly, the Writ Petition is allowed.”

8. Since the parties have already been directed vide order dated 26.09.2022 in W.P.No.24780 of 2022 passed by the Hon’ble Division Bench and the matter has been remanded, we leave it open to the petitioner to take steps as per the order passed in W.P.No.24780 of 2022 and seek appropriate remedy as available under law. It is also made clear that this court has not expressed any opinion on the merits of the case and the trial court shall adjudicate the matter on the basis of the material placed before the trial Court.

9. Hence, this Writ petition is disposed of directing the respondent authorities not to entertain any documents in respect of the subject property for a period of two(02) months, enabling the petitioner to take proper steps as available under law.

10. Accordingly, the Writ Petition is disposed of.

As a sequel, miscellaneous applications pending, if any, shall stand closed.