

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

WEDNESDAY, THE SECOND DAY OF MARCH
TWO THOUSAND AND TWENTY TWO

PRESENT

THE HONOURABLE SRI JUSTICE B.VIJAYSEN REDDY

WRIT PETITION NO: 10405 OF 2022

Between:

1. Katukam Prameela, W/o. Katakum Mallaiah, Aged. 52 yrs, Occ: Household, R/o. H. No. 27-395/7, Hamaliwada, Mancherial Town and Dist.
2. Akula Posham, S/o. Ramaiah, Aged. 70 yrs, Occ: Rtd. SCCL Employee, R/o. 27-395/9, Hamaliwada, Mancherial Town and Dist.
3. Akula Dilip, S/o. Posham, Aged. 47 yrs, Occ: Business, R/o. 27-395/9, Hamaliwada, Mancherial Town and Dist.
4. Boddula Suguna, W/o. Late Ramaswamy, Aged. 50 yrs, Occ: Household, R/o. Hamaliwada, Mancherial Town and District.

...PETITIONER(S)

AND

1. The state of Telangana, Rep by its Principal Secretary, Stamps and registration Department., Secretariat Buildings, CRKR Bhavan, Tank Bund Hyderabad.
2. The Commissioner and Inspector General of Registration and Stamps, M.J. Market., Hyderabad, Telangana State.
3. The Sub-Registrar, Mancherial Mandal, Mancherial District.

...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 issued an appropriate Writ, order or Direction, more particularly one in the nature of Writ of Mandamus, declaring the action of the 3rd respondent in not receiving, registering and releasing the sale deeds presented by the petitioner in respect of a house plots, bearing plot No. 109 measuring 180 Sq. yards, plot No. 110 measuring 200 Sq. yards, plot No. 111 to 121 measuring 166.66 Sq. yards,

plot No. 124 to 127 measuring 166.66 Sq. yards, plot No. 128 and 129 measuring 222.22 Sq. yards, plot No.130 to 140 measuring 166.66 Sq. yards, plot No. 141 measuring 200 Sq. yards measuring 200 Sq. yards, situated at Sy No. 345, situated at Mancherial Village and Mandal, Mancherial District, within the limits of Mancherial Municipality, on the Ground of Memo bearing No. G2/257/2019 dated 26/08/2020 and 29/12/2020 issued by the 2nd respondent as illegal, arbitrary , without jurisdiction, contrary to the provision of Registration Act-1908 ,and Violation of Article14 of Constitution of India, and consequently direct the 3rd Respondent to receive. Register and release the sale deeds presented by the petitioner without reference to Memo bearing No.G2/257/2019 dated 26/08/2020 and 29/12/2020 issued by the 2nd respondent.

IA NO: 1 OF 2022

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.3 herein to receive , register and release the sale deeds presented by the petitioner in respect of a house plots, bearing plot No. 109 measuring 180 Sq. yards, plot No. 110 measuring 200 Sq. yards, plot No. 111 to 121 measuring 166.66 Sq. yards, plot No. 124 to 127 measuring 166.66 Sq. yards, plot No. 128 and 129 measuring 222.22 Sq. yards, plot No.130 to 140 measuring 166.66 Sq. yards, plot No. 141 measuring 200 Sq. yards measuring 200 Sq. yards, situated at Sy No. 345, situated at Mancherial Village and Mandal, Mancherial District, within the limits of Mancherial Municipality, without reference to Memo bearing No.G2/257/2019 dated 26/08/2020 and 29/12/2020 issued by the 2nd respondent.

Counsel for the Petitioner(s) : SRI. D. MANOHAR RAO

Counsel for the Respondents : AGP FOR REVENUE

The Court made the following : ORDER

HONOURABLE SRI JUSTICE B. VIJAYSEN REDDY

W.P.No.10405 OF 2022

ORDER :

Heard both sides and perused the material on record.

2. It is submitted by the learned counsel on either side that subject matter of this writ petition is squarely covered by the common order passed by this Court in W.P. No.328 of 2022 and batch dated 18.02.2022 as modified by the order dated 22.02.2022 in I.A. No.2 of 2022 in W.P. No.2985 of 2022 and batch, as such, this writ petition may be disposed of in terms thereof.

3. Therefore, following the common order dated 18.02.2022 in W.P. No.328 of 2022 and batch as modified by the order dated 22.02.2022 in I.A. No.2 of 2022 in W.P. No.2985 of 2022, in terms thereof, this writ petition is disposed of as under without any order as to costs:

(i) The respondent - Sub-Registrar is directed to register the document of sale, transfer and gift etc., presented for registration by the petitioner/s without references to the Memo .Nos.G2/257/2019 dated

26.08.2020 and 29.12.2020 issued by the respondent - the Commissioner and Inspector General of Registration and Stamps, Telangana; Letter No.45/TP/NMC/2019 dated 01.11.2019 issued by the respondent - the Commissioner, Municipal Corporation, Nizampet to the respondent - the Sub Registrar, Quthbullapur, Ranga Reddy District, and similar letters, if any, issued by the various Municipal Commissioners in the State;

(ii) the Sub Registrars in the State shall make an endorsement at the reverse side of the first page of the document referred in direction No.(i) that registration so done is subject to outcome of SLP (Civil) No.19695 of 2021 filed by the State Government before the Hon'ble Supreme Court; and

(iii) in case, it is found that there is any violation of law like plots / lands / structures being sold form part of F.T.L. and Buffer Zone / Plots having less than 30 feet road width access, the Sub Registrar shall make an endorsement informing / cautioning the purchasers that risk is involved in purchase of such plots; such transactions are hit by relevant statutory provisions; that registration of the same is subject to outcome of orders of the Hon'ble Supreme Court in SLP (Civil) No.19695 of 2021. To that effect, an endorsement shall be made on the reverse side of the first/second page of the document and also in the encumbrance record, website etc.

As a sequel thereto, miscellaneous petitions, if any, pending in these writ petitions stand closed.

**SD/-K.ONESIM
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Stamps and registration Department., Secretariat Buildings, CRKR Bhavan, State of Telangana, Tank Bund, Hyderabad.
2. The Commissioner and Inspector General of Registration and Stamps, M.J. Market., Hyderabad, Telangana State.

3. The Sub-Registrar, Mancherial Mandal, Mancherial District.
4. One CC to SRI. D. MANOHAR RAO, Advocate. [OPUC]
5. Two CCs to GP FOR REVENUE, High Court for the State of Telangana at Hyderabad. [OUT]
6. Two CD Copies
7. One Spare Copy

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HIGH COURT

DATED:02/03/2022

ORDER

WP.No.10405 of 2022



**DISPOSING OF THE WRIT PETITION
WITHOUT COSTS**

Handwritten signature and date: 25/03/2022