

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

FRIDAY, THE FOURTH DAY OF MARCH
TWO THOUSAND AND TWENTY TWO

PRESENT

THE HONOURABLE SRI JUSTICE B.VIJAYSEN REDDY

WRIT PETITION NO: 11104 OF 2022

Between:

Mohammad Abdul Rawoof, S/o. Mohammad Abdul Razzak, Aged about 52 years, Occ. Business, R/o H.No.21-161, Kajipura Colony, Near Government Hospital, Farooqnagar, Ranga Reddy District, Telangana State. Rep by his GPA Holder. Patnam Rajkumar, S/o Chennaiah, Aged about 40 years, Occ. Business, R/o H.No.69/A, Vidyuth Colony, Shadnagar, Farooqnagar Mandal, Ranga Reddy District.

...PETITIONER

AND

1. The State of Telangana, Rep., by its Principal Secretary, Registration and Stamps Department, Secretariat, BRKR Bhavan, Hyderabad, TS.
2. The Commissioner and Inspector General of Registration and Stamps, Telangana, Office at Moazamjahi Market Road, Hyderabad.
3. The Sub-Registrar, Farooqnagar, Rangareddy 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 issue an appropriate Writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondent no. 3 in refusing to receive, register and release the sale deed presented by the petitioner in respect of 8 plots bearing Plot No. 3 extent 112 sq. yards, Plot No. 10 extent 112 sq. yards, Plot No. 19 extent 112 sq. yards, Plot No. 25 extent 112 sq. yards, Plot No. 32/P extent 40 sq. yards, Plot No. 33 extent 112 sq. yards, Plot No. 34 extent 112 sq. yards and Plot No. 40 extent 112 sq. yards in Sy. No. 154A situated in the limits of Farooqnagar, Shadnagar Municipality, Farooqnagar Mandal, Ranga Reddy District, Telangana State, pursuant to the Memo No.G2/257/2019, dated 26-08-2020 as illegal, arbitrary, unlawful, without jurisdiction and contrary to the provisions of the Registration Act, 1908 and in violation of Article 14 of Constitution of Indian and consequently direct the respondent no. 3 to receive, register and release the sale deed presented by the

petitioners in respect of above said property, notwithstanding the Memo No.G2/257/2019, dated 26-08-2020, issued by the respondent no. 2.

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 to receive, register and release the sale deed presented by the petitioners in respect of 8 plots bearing Plot No. 3 extent 112 sq. yards, Plot No. 10 extent 112 sq. yards, Plot No. 19 extent 112 sq. yards, Plot No. 25 extent 112 sq. yards, Plot No. 32/P extent 40 sq. yards, Plot No. 33 extent 112 sq. yards, Plot No. 34 extent 112 sq. yards and Plot No. 40 extent 112 sq. yards in Sy. No. 154A situated in the limits of Farooqnagar, Shadnagar Municipality, Farooqnagar Mandal, Ranga Reddy District, Telangana State, without reference to Memo No.G2/257/2019, dated 26-08-2020, during the pendency of the above writ petition.

Counsel for the Petitioner : SRI S. KRISHNA SHARMA

Counsel for the Respondents: GP FOR REVENUE

The Court made the following: ORDER

HONOURABLE SRI JUSTICE B. VIJAYSEN REDDY

WRIT PETITION No.11104 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.

The miscellaneous petitions pending, if any, shall stand closed.

There shall be no order as to costs.

SD/-K.SAILESHI
ASSISTANT REGISTRAR

GP

SECTION OFFICER

//TRUE COPY//

To,

1. The Principal Secretary, Registration and Stamps Department, State of Telangana, Secretariat, BRKR Bhavan, Hyderabad, TS.
2. The Commissioner and Inspector General of Registration and Stamps, Telangana, Office at Moazamjahi Market Road, Hyderabad.

3. The Sub-Registrar, Farooqnagar, Rangareddy District.
4. One CC to Sri S. Krishna Sharma, 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

Sm

BS



HIGH COURT

DATED:04/03/2022



ORDER

WP.No.11104 of 2022

DISPOSING OF THE WP
WITHOUT COSTS

g
Chaitanya
23/03/2022