

**HIGH COURT FOR THE STATE OF TELANGANA
(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: 11297 OF 2022

Between:

Mohd.Mujtaba Khan, S/o. Mohd.Osman Khan, aged 52 years, Occ. Agriculture,
R/o. 3-7-26/1, Ravindra Nagar, Mahbub Nagar District, Telangana State.

...PETITIONER

AND

1. The State of Telangana, Rep by its Principal Secretary, Department of Revenue, Secretariat, Hyderabad.
2. The Commissioner and Inspector, General of Registration and Stamps, M.J. Market, Hyderabad, T.S.
3. The Sub-Registrar, O/o the District Registrar, Peddapalli, Peddapalli District (Old Karimnagar 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 a Writ, or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondent Nos.2 and 3, more particularly the action of the 3rd Respondent in refusing to receive, register and release the sale deeds due to be presented by the petitioner in favour of the prospective purchasers in respect of plot nos.72 in Sy.No.904 to an extent of 176.81 sq.yards and in plot no.79 in Sy.No.905 to an extent of 141.87 Sq.yards, and vide patta pass book No.1486, situated at K.N. Colony, near old railway gate, Veerannapet, Mahaboobnagar on the ground of Memo No.G2/257/2091 dated 26/8/2020, pertaining to non-registration of proposed layout of plots and flats, contrary to Law, as being illegal, arbitrary, without jurisdiction, contrary to the provisions of Registration Act-1908, and violation of Article 14 and 300A of Constitution of India.

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 due to be presented by the petitioner in respect of plot nos.72 in Sy.No.904 to an extent of 176.81 sq.yards and in plot No.79 in Sy.No.905 to an extent of 141.87 Sq.yards, and vide patta pass book No.1486, situated at KN Colony, near old railway gate, Veerannapet, Mahaboobnagar without reference to the memo bearing No.G2/257/2019, dated 26/08/2020 issued by the respondent No.2 and pass

Counsel for the Petitioner:SRI. P VAMSHEEDHAR REDDY

Counsel for the Respondents: AGP FOR REVENUE

The Court made the following: ORDER

HONOURABLE SRI JUSTICE B. VIJAYSEN REDDY

WRIT PETITION No.11297 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/- I. NAGA LAKSHMI
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, State of Telangana, Department of Revenue, Secretariat, Hyderabad.
2. The Commissioner and Inspector, General of Registration and Stamps, M.J. Market, Hyderabad, T.S.
3. The Sub-Registrar, O/o the District Registrar, Peddapalli, Peddapalli District (Old Karimnagar District).
4. One CC to SRI. P VAMSHEEDHAR REDDY Advocate [OPUC]

5. Two CCs to GP FOR REVENUE ,High Court for the State of Telangana.
[OUT]

6. Two CD Copies

7. One Spare Copy

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HIGH COURT

DATED:04/03/2022

ORDER

WP.No.11297 of 2022



DISPOSING OF THE WRIT PETITION

WITHOUT COSTS

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29/3/22
JNV