

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

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

PRESENT

THE HONOURABLE SRI JUSTICE B.VIJAYSEN REDDY

WRIT PETITION NO: 11408 OF 2022

Between:

1. Smt. Kundana Saroja, D/o Late Sri Sankuri Balaiah, W/o Late. Sri K.V.Goud, Aged about 60 years, Occ. Service, R/o. Plot No.9/4, Rasoolpura, Near Usha Divisional Office, Secunderabad.
2. Smt. Godalla Savithri, D/o Late Sri Sankuri Balaiah, W/o Sri G.R.Mahender, Aged about 61 years, Occ. House Wife, R/o. Rasoolpura, Near Usha Divisional Office, Secunderabad.

Represented by their DAGPA Holder. M/s Maha Developers Registered Firm, having office at H.No.46-564/2, Bhagath Singh Nagar, Chintal, Quthbullapur Mandal and Circle, GHMC, Medchal-Malkajgiri District.

Rep by its Managing Partners. Sri Tanga Laxma Reddy S/o Late T. Hanumanth Reddy, Aged about 53 years, Occ. Business, R/o H.No.46-564/2, Bhagath Singh Nagar, Chintal, Quthbullapur Mandal and Circle, GHMC, Medchal-Malkajgiri District.

Sri E.V. Sagar Rao S/o Sri E.Kishan Rao, Aged about 58 years, Occ. Business, R/o.H.No.60-9/1/501, Sagar Residency, Ranga Nagar, Chintal, Quthbullapur Mandal and Circle, GHMC, Medchal-Malkajgiri District.

...PETITIONERS

AND

1. The State of Telangana, Rep by its Principal Secretary Revenue (Stamps and Registration), Secretariat, Hyderabad.
2. The Commissioner and Inspector General of Registration and Stamps, Telangana, Hyderabad.
3. The Sub-Registrar, Quthbullapur, Medchal-Malkajgiri 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 any writ order or direction more particularly one in the nature of Writ of Mandamus declaring the inaction of the respondent No.3 in receiving, registering and releasing the Sale Deeds presented by the Petitioners in respect

of the Plot No.69 (200 Sq.Yds), Plot No.71 (200 Sq.Yds), Plot No.73 (200 Sq.Yds), Plot No.74 (200 Sq.Yds), Plot No.76 (200 Sq.Yds), Plot No.77 (200 Sq.Yds), Plot No.78 (200 Sq.Yds), Plot No.79 (200 Sq.Yds), Plot No.80 (200 Sq.Yds), Plot No.81 (200 Sq.Yds), Plot No.82 (200 Sq.Yds), Plot No.83 (200 Sq.Yds), Plot No.84 (200 Sq.Yds), Plot No.85 (200 Sq.Yds), Plot No.86 (200 Sq.Yds), Plot No.88 (200 Sq.Yds), Plot No.89 (200 Sq.Yds), Plot No.90 (200 Sq.Yds), Plot No.91 (200 Sq.Yds), Plot No.92 (200 Sq.Yds), Plot No.93 (200 Sq.Yds), Plot No.94 (200 Sq.Yds), Plot No.95 (200 Sq.Yds), Plot No.96 (200 Sq.Yds), Plot No.97 (200 Sq.Yds), Plot No.98 (200 Sq.Yds), Plot No.99 (200 Sq.Yds), Plot No.100 (200 Sq.Yds), Plot No.101 (200 Sq.Yds) and Plot No.102 (200 Sq.Yds), Grand total admeasuring 6000.0 Square Yards or equivalent to 5016.0 Square Meters, out of Ac.21-13 Gts., in Survey Nos. 308/4, 308/6 and 308/7, excluding the road area and open/part area, situated at Gajularamaram Village, Under GHMC Circle, Mandal and Regn. Sub Dist. Quthbullapur, Dist. and Regn. Dist. Medchal-Malkajgiri, on the basis of Memo No.G2/257/2019 issued by the respondent No.2, as illegal, arbitrary and one without jurisdiction and to consequently direct the respondent No.3 to receive, register and release the Sale Deed/s presented by the Petitioners in respect of the Plot No.69 (200 Sq.Yds), Plot No.71 (200 Sq.Yds), Plot No.73 (200 Sq.Yds), Plot No.74 (200 Sq.Yds), Plot No.76 (200 Sq.Yds), Plot No.77 (200 Sq.Yds), Plot No.78 (200 Sq.Yds), Plot No.79 (200 Sq.Yds), Plot No.80 (200 Sq.Yds), Plot No.81 (200 Sq.Yds), Plot No.82 (200 Sq.Yds), Plot No.83 (200 Sq.Yds), Plot No.84 (200 Sq.Yds), Plot No.85 (200 Sq.Yds), Plot No.86 (200 Sq.Yds), Plot No.88 (200 Sq.Yds), Plot No.89 (200 Sq.Yds), Plot No.90 (200 Sq.Yds), Plot No.91 (200 Sq.Yds), Plot No.92 (200 Sq.Yds), Plot No.93 (200 Sq.Yds), Plot No.94 (200 Sq.Yds), Plot No.95 (200 Sq.Yds), Plot No.96 (200 Sq.Yds), Plot No.97 (200 Sq.Yds), Plot No.98 (200 Sq.Yds), Plot No.99 (200 Sq.Yds), Plot No.100 (200 Sq.Yds), Plot No.101 (200 Sq.Yds) and Plot No.102 (200 Sq.Yds), Grand total admeasuring 6000.0 Square Yards or equivalent to 5016.0 Square Meters, out of Ac.21-13 Gts., in Survey Nos. 308/4, 308/6 and 308/7, excluding the road area and open/part area, situated at Gajularamaram Village, Under GHMC Circle, Mandal and Regn. Sub Dist. Quthbullapur, Dist. and Regn., Dist. Medchal-Malkajgiri, without the reference of the Memo No.G2/257/2019 issued by the respondent No.2.

I.A.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/s presented by the Petitioners in respect of the Plot No.69 (200 Sq.Yds), Plot No.71 (200 Sq.Yds), Plot No.73 (200 Sq.Yds), Plot No.74 (200 Sq.Yds), Plot No.76 (200 Sq.Yds), Plot No.77 (200 Sq.Yds), Plot No.78 (200 Sq.Yds), Plot No.79 (200 Sq.Yds), Plot No.80 (200 Sq.Yds), Plot No.81 (200 Sq.Yds), Plot No.82 (200 Sq.Yds), Plot No.83 (200 Sq.Yds), Plot No.84 (200 Sq.Yds), Plot No.85 (200 Sq.Yds), Plot No.86 (200 Sq.Yds), Plot No.88 (200 Sq.Yds), Plot No.89 (200 Sq.Yds), Plot No.90 (200 Sq.Yds), Plot No.91 (200 Sq.Yds), Plot No.92 (200 Sq.Yds), Plot No.93 (200 Sq.Yds), Plot No.94 (200 Sq.Yds), Plot No.95 (200 Sq.Yds), Plot No.96 (200 Sq.Yds), Plot No.97 (200 Sq.Yds), Plot No.98 (200 Sq.Yds), Plot No.99 (200 Sq.Yds), Plot No.100 (200 Sq.Yds), Plot

No.101 (200 Sq.Yds) and Plot No.102 (200 Sq.Yds), Grand total admeasuring 6000.0 Square Yards or equivalent to 5016.0 Square Meters, out of Ac.21-13 Gts., in Survey Nos. 308/4, 308/6 and 308/7, excluding the road area and open/part area, situated at Gajularamaram Village, Under GHMC Circle, Mandal and Regn. Sub Dist. Quthbullapur, Dist. and Regn. Dist. Medchal-Malkajgiri, without the reference of the Memo No.G2/257/2019 issued by the respondent No.2, pending disposal of the above writ petition.

Counsel for the Petitioners : SRI.KATIKA RAVINDER REDDY

Counsel for the Respondents : AGP FOR REVENUE

The Court made the following ORDER

HONOURABLE SRI JUSTICE B. VIJAYSEN REDDY

WRIT PETITION No.11408 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/-M.MANJULA
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1. The Principal Secretary, Revenue (Stamps and Registration), Secretariat, State of Telangana at Hyderabad.
2. The Commissioner and Inspector General of Registration and Stamps, Telangana, Hyderabad.
3. The Sub-Registrar, Quthbullapur, Medchal-Malkajgiri District.
4. Two CCs to GP FOR REVENUE, High Court for the State of Telangana at Hyderabad. [OUT]
5. One CC to SRI.KATIKA RAVINDER REDDY, Advocate [OPUC]
6. Two CD Copies
7. One spare copy

S.A

SW

HIGH COURT

DATED:09/03/2022

ORDER

WP.No.11408 of 2022



DISPOSING OF THE W.P
WITHOUT COSTS.

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[Signature]
11/04/2022