

**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: 11451 OF 2022

Between:

1. Kommareddy Venkateswara Reddy, S/o. K.Rami Reddy, Aged about 55 years, Occ. Business, R/o. H.No.13-1349, Macherla, Guntur District.
2. Kommareddy Anantharavamma, W/o. Kommareddy Venkateswara Reddy, Aged about 46 years, Occ. Housewife, R/o. H.No.13-1349, Macherla, Guntur District.
3. Kommareddy Rami Reddy, S/o. K.Venkateswara Reddy, Aged about 34 years, Occ. Business, R/o. H.No.13-1349, Macherla, Guntur District.
4. Smt. Ramadevi Kommireddy, D/o. K.Laxma Reddy, Aged about 33 years, Occ. Private Employee, R/o.Flat No.102, Plot No.128, Matrusri Nagar, Miyapur, Hyderabad-500049.
5. Ramakrishna Reddy Datla, S/o. Datla Nagi Reddy, Aged about 36 years, Occ. Business, R/o. Flat No. 102, Plot No.128, Matrusri Nagar, Miyapur, Hyderabad-500049. Represented by their DAGPA Holder M/s.J.K.Infra Enterprises, Represented by its Proprietor, Sri.Rama Krishna Reddy Datla, S/o. Sri.Nagi Reddy Datla, Aged about 36 years, Occ. Business, R/o. Flat No.101, Sai Sankalpa Residency, Kolan Tulasi Reddy Colony, Nizampet, Quthbullapur Mandal, Ranga Reddy 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, Hyderabad, Telangana.
3. The Sub Registrar, Serilingampally, Ranga Reddy 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 of the Agreement of sale deed presented by the petitioner in respect of the Semi-Finished Flat Nos. A-402, in Fourth Floor of J.K.

ENCLAVE having built-up area of 1058 Sq.feet including common area and car parking area of 100 Sq.feet along with an undivided share of land admeasuring 23 Sq.yards (out of total admeasuring 480 Sq.yards), in Door Nos. 2-125/2/A/402, PTIN. No. 1219984278, constructed on Plot Nos.7 and 8 in Survey Nos.315/2, situated at CHANDANAGAR VILLAGE, Serilingampally Mandal and GHMC Circle, Ranga Reddy District, Telangana State, on the basis of Memo No.G2/257/2019 dated 26.08.2020 issued by the respondent No.2 as illegal, arbitrary and unconstitutional and consequently direct the respondent No.3 to receive, register and release the Agreement of sale deed presented by the petitioners in respect of the Semi-Finished Flat Nos. A-402, in Fourth Floor of J.K. ENCLAVE having built-up area of 1058 Sq.feet including common area and car parking area of 100 Sq.feet along with an undivided share of land admeasuring 23 Sq.yards (out of total admeasuring 480 Sq.yards), in Door Nos. 2-125/2/A/402, PTIN. No. 1219984278, constructed on Plot Nos.7 and 8 in Survey Nos.315/2, situated at CHANDANAGAR VILLAGE, Serilingampally Mandal and GHMC Circle, Ranga Reddy District, Telangana State, without the reference of the Memo No.G2/257/2019 dated 26.08.2020 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 Agreement of sale deed presented by the petitioners in respect of the Semi-Finished Flat Nos. A-402, in Fourth Floor of J.K. ENCLAVE having built-up area of 1058 Sq.feet including common area and car parking parking area of 100 Sq.feet along with an undivided share of land admeasuring 23 Sq.yards (out of total admeasuring 480 Sq.yards), in Door Nos. 2-125/2/A/402, PTIN. No. 1219984278, constructed on Plot Nos.7 and 8 in Survey Nos.315/2, situated at CHANDANAGAR VILLAGE, Serilingampally Mandal and GHMC Circle, Ranga Reddy District, Telangana State, without the reference of the Memo No.G2/257/2019 dated 26.08.2020 issued by the respondent No.2 pending disposal of the writ petition.

Counsel for the Petitioners : SRI.RAJAGOPALLAVAN TAYI

Counsel for the Respondents : AGP FOR REVENUE

The Court made the following ORDER

HONOURABLE SRI JUSTICE B. VIJAYSEN REDDY

WRIT PETITION No.11451 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/- N.CHANDRASEKHAR RAO
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1. The Principal Secretary, Revenue (Stamps and Registration), Secretariat, State of Telangana, Hyderabad.
2. The Commissioner and Inspector General of Registration and Stamps, Hyderabad, Telangana.
3. The Sub Registrar, Serilingampally, Ranga Reddy District.
4. Two CCs to GP FOR REVENUE, High Court for the State of Telangana at Hyderabad. [OUT]
5. One CC to SRI.RAJAGOPALLAVAN TAYI, Advocate [OPUC]
6. Two CD Copies
7. One Spare Copy

SA

[Handwritten signature]

HIGH COURT

DATED:09/03/2022

ORDER

WP.No.11451 of 2022



DISPOSING OF THE W.P
WITHOUT COSTS.

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23/3/22
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