

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

**TUESDAY, THE FIFTEENTH DAY OF MARCH
TWO THOUSAND AND TWENTY TWO**

PRESENT

THE HONOURABLE SRI JUSTICE B.VIJAYSEN REDDY

WRIT PETITION NO: 13292 OF 2022

Between:

1. R Narender Kumar, S/o.R Devender, aged about 53 years, Occ: Business, R/o. H.No.13-42, Yadav Nagar, Malkajgiri, Medchal-Malkajgiri.
2. A Sidhareddy, S/o. A Yaadi Reddy, aged about 38 years, Occ: Business, R/o. H.No.3-132, Thukkapur Village, Bhoingir Mandal, Nalgonda District

...PETITIONERS

AND

1. The State of Telangana, Rep. by Principal Secretary, Revenue Admiration Secretariat, Hyderabad.
2. The District Registrar, Medchal Malkajgiri District
3. The Sub-Registrar Malkajgiri, Medchal-Malkajgiri District
4. The Telangana State Wakf Board, Rep by its Chief Executive Officer, Nampally, Hyderabad

...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 Respondents particularly Respondent No.3 in refusing to receive and register and release the sale deed in respect of Residential house bearing No.25-40/34-A, Constructed on Plot No.66, in Survey No.546 to 549, 551 and 573, admeasuring 222.5 Sq. Yards or 185.7 Sq. Metrs, with plinth area of 986 Sq. Feet of RCC roof, situated at Anantha Saraswathi Nagar, East Annadbagh, Malkajgiri, Medchal-Malkajgiri, Telangana, as illegal unjust, arbitrary against the provisions of Registrations Act and against the settled principal of law and consequently direct the 3rd Respondent to receive register and release the, deed.

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 forthwith to receive, register and release the Sale Deed in respect of Residential house bearing No.25-40/34-A, Constructed on Plot No.66, in Survey No.546 to 549, 551 and 573, admeasuring 222.5 Sq. Yards or 185.7 Sq. Metrs, with plinth area of 986 Sq. Feet of RCC roof, situated at Anantha Saraswathi Nagar, East Annadbagh, Malkajgiri, Medchal-Malkajgiri, Telangana, pending of Writ Petition.

Counsel for the Petitioners : SRI. SHAIK AHMED SHAREEF

Counsel for the Respondent Nos. 1 to 3 : AGP FOR REVENUE

Counsel for the Respondent No.4 : SRI ABU AKRAM, SC FOR TSWB

The Court made the following : ORDER

HONOURABLE SRI JUSTICE B. VIJAYSEN REDDY

WRIT PETITION No.13292 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/-T.SRINIVAS
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Revenue Admiration Secretariat, State of Telangana, Hyderabad.
2. The District Registrar, Medchal Malkajgiri District
3. The Sub-Registrar Malkajgiri, Medchal-Malkajgiri District
4. The Chief Executive Officer, Telangana State Wakf Board, mpally, Hyderabad
5. One CC to SRI. SHAIK AHMED SHAREEF, Advocate. [OPUC]
6. One CC to SRI ABU AKRAM, SC FOR TSWB, Advocate.[OPUC]
7. Two CCs to GP FOR REVENUE, High Court for the State of Telangana at Hyderabad.[OUT].
8. Two CD Copies
9. One Spare Copy

SB

BS

HWA

HIGH COURT

DATED:15/03/2022

ORDER

WP.No.13292 of 2022



DISPOSING OF THE WRIT PETITION
WITHOUT COSTS.

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31/3/22
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