

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

THURSDAY, THE THIRTY FIRST DAY OF MARCH
TWO THOUSAND AND TWENTY TWO

PRESENT

THE HON'BLE SRI JUSTICE B. VIJAYSEN REDDY

WRIT PETITION NO: 14505 OF 2022

Between:

Mohammed Baquar Hussain, S/o Ahmed Moosa. Aged. 57 Yrs. R/o H.No. 16-2-836/7, Saidabad, Occ. business.

...PETITIONER

AND

1. The State of Telangana, rep by its Principle Secretary. Revenue. Stamps and Registration Department, State Secretariat. Hyderabad.
2. The Commissioner and Inspector General, Registration and Stamps, Nizam Shahi Road, Hyderabad.
3. The District Registrar, Karimnagar, Stamps and Registration Department, Collectorate Complex, Karimnagar.
4. The Sub Registrar, Karimnagar, Collectorate Office, Karimnagar.

...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 in the nature of a Writ of Mandamus directing the Respondents more particularly, the 4th Respondents to receive and register the sale deed dated. 16.03.2022 in respect of an open plot of land forming part and parcel of a portion of the aforesaid land in Survey No. 804 of Bommakal Village and Gram Panchayat. Karimnagar (Rural). Karimnagar. District, totally admeasurind 242 Square Yards as per the scheduled boundries) and to release the said sate deed dated. 16.03.2022 back to the Petitioner herein post registration by declaring that the impugned Memo No. G2/257/2019 dated. 26.08.2020 issued by the 2nd Respondent is illegal, arbitrary and un-constitutional and is thereby, liable to be set aside by this Honble Court

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 pass an order directing the respondents more particularly the 4th respondent to receive from the petitioner herein and to register the sale deed dated 16.03.2022 in

respect of an open plot of land forming part and parcel of a portion of the aforesaid land in Sy.No. 804 of Bommakal village and Gram Panchayat, Karimnagar (Rural, Karimnagar District totally admeasuring 242 square yards as per the scheduled boundaries and to release the said sale deed dated 16.03.2022 back to the petitioner herein post registration by declaring that the impugned Memo No. G2/257/2019 dated 26.08.2020 issued by the 2nd Respondent is illegal, arbitrary and unconstitutional and is thereby, liable to be set aside by this Honble Court

Counsel for the Petitioner: SRI RAKESH SANGHI

Counsel for Respondents: AGP FOR REVENUE

The Court made the following: ORDER

HONOURABLE SRI JUSTICE B. VIJAYSEN REDDY

WRIT PETITION No.14505 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 reference 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.

As a sequel thereto, miscellaneous petitions, if any, pending in this writ petition stand closed.

//TRUE COPY//

**SD/-T.KRISHNA KUMAR
ASSISTANT REGISTRAR**

GB

SECTION OFFICER

To,

1. The Principle Secretary. Revenue. Stamps and Registration Department, State of Telangana State Secretariat. Hyderabad.
2. The Commissioner and Inspector General, Registration and Stamps, Nizam Shahi Road, Hyderabad.

3. The District Registrar, Karimnagar, Stamps and Registration Department, Collectorate Complex, Karimnagar.
4. The Sub Registrar, Karimnagar, Collectorate Office, Karimnagar.
5. One CC to Sri Rakesh Sanghi Advocate [OPUC]
6. Two CCs to GP For Revenue, High Court for the State of Telangana. [OUT]
7. Two CD Copies
8. One Spare Copy

MBC
BS



HIGH COURT

DATED: 31/03/2022



ORDER

WP.No.14505 of 2022

DISPOSING OF THE WRIT PETITION

WITHOUT COSTS

CO. m/s 09/5/2022