

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

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

PRESENT

THE HON'BLE SRI JUSTICE B. VIJAYSEN REDDY

WRIT PETITION NO: 15462 OF 2022

Between:

1. Y.Anthi Reddy, S/o. Late Raji Reddy, Aged about 75 years, Occ. Business, R/o. Plot No.174, Kamalapuri Colony, Phase-II, Srinagar Colony, Hyderabad.
2. Y.Jai Hind Reddy, S/o. Late Raji Reddy, Aged about 69 years, Occ. Business, R/o. House No.8-3-229/D/1/26, Venkatagiri, Road No.10, Jubilee Hills, Hyderabad.

...PETITIONERS

AND

1. State of Telangana, Rep by its Principal Secretary, Revenue (Stamps and Registration) Department, Secretariat, Hyderabad.
2. The Commissioner and Inspector General, Registration and Stamps Department, Telangana, At Hyderabad.
3. The District Registrar, Registration and Stamps, Ranga Reddy District.
4. The Joint Sub-Registrar-I, Stamps and Registration RO, O.B., 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 a Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, declaring the action of the 4th respondent in not receiving, registering and releasing the documents in favour of the prospective purchasers produced by the Petitioners basing on the Memo issued by the 2nd respondent vide No.G2/257/2019 dated 26/08/2020 and Amended Memo No.G2/257/2019 dated 29/12/2020 for the Open Land Bits No.6 admeasuring 891 Sq.Yds., 8 admeasuring 513 Sq.Yds., 8A admeasuring 270 Sq.Yds., 8B admeasuring 392 Sq.Yds., 8C admeasuring 392 Sq.Yds., 18 admeasuring 600 Sq.Yds., 19 admeasuring 200 Sq.Yds., 20 admeasuring 200 Sq.Yds., 21 admeasuring 260 Sq.Yds., 22 admeasuring 325 Sq.Yds., and 23 admeasuring 1300 Sq.Yds., totaling 5343 Sq.Yds. in Sy.No.16, belonging to 1st petitioner and Open Land Bits No.1 admeasuring 5547 Sq.Yds., 2 admeasuring 4364 Sq.Yds., 12 admeasuring 1000 Sq.Yds., 12A admeasuring 350 Sq.Yds., 12B admeasuring 350 Sq.Yds., 13

admeasuring 2786 Sq.Yds., 14 admeasuring 2551 Sq.Yds., 15 admeasuring 1000 Sq.Yds., 24 admeasuring 300 Sq.Yds., 25 admeasuring 300 Sq.Yds., 26 admeasuring 88 Sq.Yds., 27 admeasuring 400 Sq.Yds., 28 admeasuring 200 Sq.Yds., 29 admeasuring 200 Sq.Yds. and 30 admeasuring 200 Sq.Yds., totaling 19,636 Sq.Yds. in Sy.No.16, belonging to 2nd petitioner, situated at Guttala Begumpet Village, Serilingampally Mandal, under GHMC Serilingampally Circle, Ranga Reddy District, in spite of order dated 04/10/2021 passed by this Honourable Court in W.P.No.24814 of 2021, is arbitrary, illegal, violative of principles of natural justice, violative of provisions of the Registration Act 1908, discriminatory and unconstitutional and in violation of Articles 14, 21 and 300A of the Constitution of India and consequently direct the 4th Respondent to receive, register and release the documents in favour of the prospective purchasers produced by the petitioners for the aforesaid open land bits belonging to the petitioners

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 4th respondent to receive, register and release the documents in favour of the prospective purchasers produced by the petitioners for the Open Land Bits No.6 admeasuring 891 Sq.Yds., 8 admeasuring 513 Sq.Yds., 8A admeasuring 270 Sq.Yds., 8B admeasuring 392 Sq.Yds., 8C admeasuring 392 Sq.Yds., 18 admeasuring 600 Sq.Yds., 19 admeasuring 200 Sq.Yds., 20 admeasuring 200 Sq.Yds., 21 admeasuring 260 Sq.Yds., 22 admeasuring 325 Sq.Yds., and 23 admeasuring 1300 Sq.Yds., totaling 5343 Sq.Yds. in Sy.No.16, belonging to 1st petitioner and Open Land Bits No.1 admeasuring 5547 Sq.Yds., 2 admeasuring 4364 Sq.Yds., 12 admeasuring 1000 Sq.Yds., 12A admeasuring 350 Sq.Yds., 12B admeasuring 350 Sq.Yds., 13 admeasuring 2786 Sq.Yds., 14 admeasuring 2551 Sq.Yds., 15 admeasuring 1000 Sq.Yds., 24 admeasuring 300 Sq.Yds., 25 admeasuring 300 Sq.Yds., 26 admeasuring 88 Sq.Yds., 27 admeasuring 400 Sq.Yds., 28 admeasuring 200 Sq.Yds., 29 admeasuring 200 Sq.Yds. and 30 admeasuring 200 Sq.Yds., totaling 19,636 Sq.Yds. in Sy.No.16, belonging to 2nd petitioner, situated at Guttala Begumpet Village, Serilingampally Mandal, under GHMC Serilingampally Circle, Ranga Reddy District, without reference to the

Memo No.G2/257/2019 dated 26/08/2020 and Amended Memo No.G2/257/2019 dated 29/12/2020 issued by the 2nd respondent, pending disposal of the above Writ Petition

Counsel for the Petitioner: SRI SRIKANTH KAVETI

Counsel for Respondents: AGP FOR REVENUE

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE B. VIJAYSEN REDDY

WRIT PETITION No.15462 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 the writ petition shall stand closed.

SD/-K.ONESIM
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Revenue (Stamps and Registration) Department, State of Telangana Secretariat, Hyderabad.
2. The Commissioner and Inspector General, Registration and Stamps Department, Telangana, At Hyderabad.
3. The District Registrar, Registration and Stamps, Ranga Reddy District.
4. The Joint Sub-Registrar-I, Stamps and Registration RO, O.B., Ranga Reddy District.

5. One CC to Sri Srikanth Kaveti 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
SW5

HIGH COURT

DATED: 29/03/2022



ORDER

WP.No.15462 of 2022

DISPOSING OF THE WRIT PETITION

WITHOUT COSTS

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19/04/2022
19/04/2022