

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

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

PRESENT

THE HONOURABLE SRI JUSTICE B.VIJAYSEN REDDY

WRIT PETITION NO: 15993 OF 2022

Between:

Ashok Kumar Agarwal, S/o Sathyanarayana Agarwal, Aged about 55 years,
Occ. Business, Rio H.No.5-7-231/A, Aghapura, Charkandil, Nampally,
Hyderabad - 500001.

...PETITIONER

AND

1. The State of Telangana, Represented by its Principal Secretary (Stamps and Registration), Telangana Secretariat, Hyderabad - 500 022.
2. The Commissioner and Inspector General of Registration and Stamps, 5-3-953, Nizam Shahi Rd, Mozamjahi Market, Herza Estate, Risala Abdullah Colony, Jam Bagh, Hyderabad, Telangana 500095
3. Narkoda Grampanchayat, Rep by its Panchayat Secretary. Narkoda Village, Shamshabad Mandal, Ranga Reddy District.
4. The Sub Registrar, Shamshabad, R.R. District, Telangana State.

...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 4th Respondent in not receiving the Sale Deed documents submitted for registration in favour of the prospective purchasers by the petitioner and subsequently not registering and releasing the same 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 three residential plots i.e., 1) Plot No. No. 25/P admeasuring 415 sq. yds., 2) Plot No. 31/P admeasuring 118 sq. yds., and 3) Plot No.36/P admeasuring 560 sq. yds., belongs to Petitioner situated in Sy. No.61, 62 and 63, total admeasuring Ac.3.39 guntas situated at Narkoda Village, Shamshabad Mandal, R.R. District in spite of Order dated 22/02/2022 passed by this Hon'ble Court in W.P. No. 3238/2022 is illegal and arbitrary and consequently direct the 4th respondent to receive, register and release the Sale Deeds in favour of the prospective purchasers produced by the Petitioner for residential Plots in Sy. No. 61, 62 and 63, admeasuring Ac.3.39 guntas belongs to Petitioner situated at Narkoda Village, Shamshabad Mandal, R.R. District .

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, process, register and release the Sale Deeds submitted by the petitioner for registration with regard to the Residential Plots i.e., 1) Plot No. No. 25/P admeasuring 415 sq. yds., 2) Plot No. 31/P admeasuring 118 sq. yds., and 3) Plot No.36/P admeasuring 560 sq. yds., in Sy. No. 61, 62 & 63, admeasuring Ac.3.39 guntas situated at Narkoda Village, Shamshabad Mandal, R.R. District belongs to Petitioner 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 W.P.

Counsel for the Petitioner:SRI. V.V.RAMANA

Counsel for the Respondent No's. 1,2 & 4: AGP FOR REVENUE

Counsel for the Respondent No.3: SRI C.KALYAN RAO(SC FOR GRAMPANCHAYAT)

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE B. VIJAYSEN REDDY

WRIT PETITION No.15993 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.

//TRUE COPY//

SD/-B.SATYAVATHI
ASSISTANT REGISTRAR



SECTION OFFICER

To,

1. The Principal Secretary, (Stamps and Registration), State of Telangana, Telangana Secretariat, Hyderabad - 500 022.
2. The Commissioner and Inspector General of Registration and Stamps, 5-3-953, Nizam Shahi Rd, Mozamjahi Market, Herza Estate, Risala Abdullah Colony, Jam Bagh, Hyderabad, Telangana 500095
3. The Panchayat Secretary, Narkoda Grampanchayat, Narkoda Village, Shamshabad Mandal, Ranga Reddy District.
4. The Sub Registrar, Shamshabad, R.R. District, Telangana State.

5. One CC to SRI V.V.RAMANA, Advocate [OPUC]
6. Two CCs to GP FOR REVENUE, High Court for the State of Telangana.
[OUT]
7. One CC to SRI. C.KALYAN RAO (SC FOR GRAMPANCHAYAT), Advocate
[OPUC]
8. Two CD Copies.
9. One Spare Copy.

GB

HIGH COURT

DATED:30/03/2022



ORDER

WP.No.15993 of 2022

**DISPOSING OF THE WP
WITHOUT COSTS.**

(11)
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