

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

**MONDAY, THE FOURTH DAY OF APRIL
TWO THOUSAND AND TWENTY TWO**

PRESENT

THE HONOURABLE SRI JUSTICE N.V.SHRAVAN KUMAR

WRIT PETITION NO: 16705 OF 2022

Between:

1. Pulli Renuka, D/o.Late Jalla Babaiah, W/o.Late P.Bheemraj, aged about 41 years, Occ: Housewife, R/o. House No.5-8-414/F53/A, Netaji Nagar, Surya Hospital, Nampally, Hyderabad - 500 00.
2. Jella Sai Kumar, S/o. Late J.Pentaiah, aged about 28 years, Occ: Service, R/o. H.No.12-2-122, BR Ambedkar Nagar, Moosapet, Hyderabad - 500 018.
3. Jella Venkatesh, S/o. Late J.Pentaiah, aged about 23 years, Occ: Service, R/o. H.No.12-2-122, BR Ambedkar Nagar, Moosapet, Hyderabad - 500 018.
4. N.Annasuja, W/o. N.Satyanarayana, aged about 41 years, Occ: Housewife, R/o. H.No.12-17-26, Janata Nagar, Moosapet, Hyderabad - 500 018.

All are rep. by their GPA Holder, Konduru Ashok Kumar, S/o. K.Srinivasulu Reddy, aged about 46 years, Occ: Business, R/o. Plot No. 76, Flat No.102, Heavenly Meadows, Kalyan Nagar, Hyderabad – 500038.

...PETITIONERS

AND

1. The State of Telangana, represented by its Principal Secretary, Stamps and Registration Department, Secretariat, Hyderabad.
2. The Sub-Registrar, Balanagar, Medchal Malkajgiri District.
3. The Commissioner, and Inspector General of Registration and Stamps, 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 a Writ or order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the 2nd respondent in refusing to receive, register and release the sale deeds presented by the petitioners in respect of semi-finished flat nos. 303, 304, 403 and 404 in 3rd and 4th floors of "J.R.RESIDENCY", constructed on House No. 12-2-121, House No. 12-2-122

and House No. 12-2-123, situated at Moosapet Village, Kukatpally Mandal, under GHMC Kukatpally Circle, Medchal - Malkajgiri District, Telangana State on the ground of Memo bearing no.G2/257/2019 dated 26.08.2020 issued by the 3rd respondent as illegal, arbitrary and contrary to the provisions of the Registration Act, 1908 and also contrary to the orders passed by this Hon'ble Court in W.P.No.9248 of 2021 and consequently direct the 2nd respondent to receive, register and release the sale deeds presented by the petitioners in respect of semi-finished flat nos. 303, 304, 403 and 404 in 3rd and 4th floors of "J.R.RESIDENCY", constructed on House No. 12-2-121, House No. 12-2-122 and House No. 12-2-123, situated at Moosapet Village, Kukatpally Mandal, under GHMC Kukatpally Circle, Medchal - Malkajgiri District, Telangana State without reference to Memo bearing no.G2/257/2019 dated 26.08.2020 issued by the 3rd respondent as directed in W.P.No.9248 of 2021.

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 2nd respondent to receive, register and release the sale deeds presented by the petitioners in respect of semi-finished flat nos. 303, 304, 403 and 404 in 3rd and 4th floors of "J.R.RESIDENCY", constructed on House No. 12-2-121, House No. 12-2-122 and House No. 12-2-123, situated at Moosapet Village, Kukatpally Mandal, under GHMC Kukatpally Circle, Medchal - Malkajgiri District, Telangana State without reference to Memo bearing no.G2/257/2019 dated 26.08.2020 issued by the 3rd respondent as directed in W.P.No.9248 of 2021, pending disposal of the above writ petition.

Counsel for the Petitioners : SRI. S SRIDHAR

Counsel for the Respondents : AGP FOR REVENUE

The Court made the following : ORDER

THE HONOURABLE SRI JUSTICE N.V. SHRAVAN KUMAR

WRIT PETITION No.16705 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/-K.ONESIM
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Stamps and Registration Department, Secretariat, State of Telangana, Hyderabad
2. The Sub-Registrar, Balanagar, Medchal Malkajgiri District.
3. The Commissioner, and Inspector General of Registration and Stamps, Telangana State

4. One CC to SRI. S SRIDHAR, Advocate. [OPUC]
5. Two CCs to GP FOR REVENUE, High Court for the State of Telangana at Hyderabad.[OUT]
6. Two CD Copies
7. One Spare Copy

SB

BS



HIGH COURT

DATED:04/04/2022



ORDER

WP.No.16705 of 2022

**DISPOSING OF THE WRIT PETITION
WITHOUT COSTS.**

21/4/2022