

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

WEDNESDAY, THE SIXTH DAY OF APRIL
TWO THOUSAND AND TWENTY TWO

PRESENT

THE HONOURABLE SRI JUSTICE N.V.SHRAVAN KUMAR

WRIT PETITION NO: 16767 OF 2022

Between:

1. K.Ashok Kumar Reddy, S/o. Venkat Narsimha Reddy, Aged about 34 years, Occ. Agriculture, R/o. H.No.8-122, Thigalappa Katta Village, Devarakadra Mandal, Mahabubnagar District.
2. B.Praveen kumar Reddy, S/o. Satyanarayana Reddy, Aged about 44 years, Occ. Agriculture, Devarakadra Village and Mandal, Mahabubnagar District.

...PETITIONERS

AND

1. The State of Telangana, Rep by its Principal Secretary Stamps and Registration Department, Secretariat Buildings, BRKR Bhavan, Tank Bund, Hyderabad.
2. The Commissioner and Inspector General of Registration and Stamps, M.J. Market, Hyderabad, Telangana State.
3. The Sub-Registrar, Mahabubnagar, Mahabubnagar 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 an appropriate Writ, order or direction more particularly one in the nature Writ of Mandamus, declaring the action of the 3rd respondent in not receiving, registering and releasing the sale deeds presented by the Petitioner in respect of Plot bearing No.1 admeasuring 90.00 Sq.yrds, Plot No.2 admeasuring 109.16 Sq.yrds, Plot No.3 admeasuring 145.00 Sq.yrds, Plot No.5 measuring 132.50 Sq.yrds, Plot No.17 admeasuring 160.00 Sq.yrds, Plot No.18 admeasuring 133.33 Sq.yrds, Plot No.22 admeasuring 133.33 Sq.yrds, Plot No.33 admeasuring 186.00 Sq.yrds, Plot No.35 admeasuring 144.00 Sq.yrds, Plot No.37 admeasuring 120.00 Sq.yrds, Plot No.38 admeasuring 120.00 Sq.yrds, Plot No.40 admeasuring 144.00 Sq.yrds, Plot No.47 admeasuring 120.00 Sq.yrds and Plot No.48 admeasuring 120.00 Sq.yrds (14 Plots) in Sy.No.562/A5, 562/A4, 562/A2 situated at Devarakadra Village and Mandal, Mahabubnagar District, on the Ground of Memo bearing No.G2/257/2019 dated 26.08.2020 and 29.12.2020 issued by the 2nd respondent as illegal, arbitrary, without jurisdiction, contrary to the provisions of Registration Act-1908, and Violation of Article 14 of Constitution of India, and consequently direct the 3rd Respondent to receive, register and release the sale

deeds presented by the Petitioner without reference to Memo bearing No.G2/257/2019 dated 26.08.2020 and 29.12.2020 issued by the 2nd respondent.

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 herein to receive, register and release the sale deeds presented by the Petitioner in respect of Plot bearing No.1 admeasuring 90.00 Sq.yrds, Plot No.2 admeasuring 109.16 Sq.yrds, Plot No.3 admeasuring 145.00 Sq.yrds, Plot No.5 admeasuring 132.50 Sq.yrds, Plot No.17 admeasuring 160.00 Sq.yrds, Plot No.18 admeasuring 133.33 Sq.yrds, Plot No.22 admeasuring 133.33 Sq.yrds, Plot No.33 admeasuring 186.00 Sq.yrds, Plot No.35 admeasuring 144.00 Sq.yrds, Plot No.37 admeasuring 120.00 Sq.yrds, Plot No.38 admeasuring 120.00 Sq.yrds, Plot No.40 admeasuring 144.00 Sq.yrds, Plot No.47 admeasuring 120.00 Sq.yrds Et Plot No.48 admeasuring 120.00 Sq.yrds (14 Plots) in Sy.No.562/A5, 562/A4, 562/A2 situated at Devarakadra Village and Mandal, Mahabubnagar District, without reference to Memo bearing No.G2/257/2019 dated 26.08.2020 and 29.12.2020 issued by the 2nd respondent, pending disposal of the main Writ Petition.

Counsel for the Petitioners: SRI. T.RAJINIKANTH REDDY

Counsel for the Respondents: GP FOR REVENUE

The Court made the following: ORDER

HONOURABLE SRI JUSTICE N.V.SHRAVAN KUMAR

WRIT PETITION No. 16767 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.

//TRUE COPY//

SD/- K.VENKAIAH
ASSISTANT REGISTRAR


SECTION OFFICER

To,

1. The Principal Secretary, Stamps and Registration Department, State of Telangana, Secretariat Buildings, BRKR Bhavan, Tank Bund, Hyderabad.
2. The Commissioner and Inspector General of Registration and Stamps, M.J. Market, Hyderabad, Telangana State.
3. The Sub-Registrar, Mahabubnagar, Mahabubnagar District.
4. One CC to SRI. T.RAJINIKANTH REDDY Advocate [OPUC]
5. Two CCs to GP FOR REVENUE ,High Court for the State of Telangana. [OUT]
6. Two CD Copies.
7. One Spare Copy.

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HIGH COURT

DATED:06/04/2022



ORDER

WP.No.16767 of 2022

DISPOSING OF THE WP
WITHOUT COSTS.

(9) VLV
9/5/22