

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

FRIDAY, THE EIGHTH DAY OF APRIL
TWO THOUSAND AND TWENTY TWO

PRESENT

THE HON'BLE SRI JUSTICE N. V. SHRAVAN KUMAR

WRIT PETITION NO: 17177 OF 2022

Between:

Sri Matta Malla Reddy, S/o Raji Reddy, Aged about 64 years, Occ.
Agriculture, R/o Appannapeta Village,
Peddapalli Mandal, Peddapalli District.

...PETITIONER

AND

1. The State of Telangana, Rep by its Principal Secretary Revenue (Stamps and Registration), Secretariat, Hyderabad.
2. The Commissioner and Inspector General of Registration and Stamps, Telangana, Hyderabad.
3. The Sub-Registrar, Peddapalli, Peddapalli District.
4. The District Registrar, Karimnagar 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 any writ order or direction more particularly one in the nature of Writ of Mandamus declaring the inaction of the respondent No.3 in receiving, registering and releasing the Sale Deed presented by the Petitioner in respect of Open Plots in Sy.Nos.224- 227/1, Plot No.1 an extent of 191.70 Sq.Yards, Plot No.2 an extent of 236.74 Sq.Yards, Plot No.3 an extent of 226.56 Sq.Yards, Plot No.4 an extent of 226.72 Sq.Yards, Plot No.5 an extent of 227.48 Sq.Yards, Plot No.6 an extent of 225.50 Sq.Yards, Plot No.7 an extent of 225.04 Sq.Yards, Plot No.8 an extent of 228.25 Sq.Yards, Plot No.9 an extent of 231.91 Sq.Yards, Plot No.10 an extent of 232.50 Sq.Yards, Plot No.11 an extent of 219.08 Sq.Yards, Plot No.12 an extent of 217.70 Sq.Yards, Plot No.13 an extent of 216.79 Sq.Yards, Plot No.14 an extent of 215.41 Sq.Yards, Plot No.15 an extent of 214.04 Sq.Yards, Plot No.16 an extent of 213.12 Sq.Yards, Plot No.17 an extent of 238.50 Sq.Yards, Plot No.18 an extent of 98.76 Sq.Yards and Plot No.19 an extent of 44 Sq.Yards, total extent of 3929.80 Sq.Yards, having Record No.B2/767/2020 dated 17-03-2020, issued by R.D.O., Peddapalli, and a

Proceeding No.2101070283 dated 26/11/2021, issued by Tahsildar and Joint Sub- Registrar Office, Peddapalli, situated at Bompally, H/o Appannapet Village, Mandal Parishad Ramagundam, Peddapalli District, within Registration District. Karimnagar, Sub- District. Peddapalli, on the basis of Memo No.G2/257/2019, issued by the respondent No.2, as illegal, arbitrary and one without jurisdiction and also in violation of Articles 14, 21 and 300-A of Constitution of India besides in violation of Registration Act and consequently direct the respondent No.3 to receive, register and release the Sale Deed presented by the Petitioner in respect of Open Plots in Sy.Nos.224- 227/1, Plot No.1 an extent of 191.70 Sq.Yards, Plot No.2 an extent of 236.74 Sq.Yards, Plot No.3 an extent of 226.56 Sq.Yards, Plot No.4 an extent of 226.72 Sq.Yards, Plot No.5 an extent of 227.48 Sq.Yards, Plot No.6 an extent of 225.50 Sq.Yards, Plot No.7 an extent of 225.04 Sq.Yards, Plot No.8 an extent of 228.25 Sq.Yards, Plot No.9 an extent of 231.91 Sq.Yards, Plot No.10 an extent of 232.50 Sq.Yards, Plot No.11 an extent of 219.08 Sq.Yards, Plot No.12 an extent of 217.70 Sq.Yards, Plot No.13 an extent of 216.79 Sq.Yards, Plot No.14 an extent of 215.41 Sq.Yards, Plot No.15 an extent of 214.04 Sq.Yards, Plot No.16 an extent of 213.12 Sq.Yards, Plot No.17 an extent of 238.50 Sq.Yards, Plot No.18 an extent of 98.76 Sq.Yards and Plot No.19 an extent of 44 Sq.Yards, total extent of 3929.80 Sq.Yards, having Records in Dharani vide Khatha No.624, and the same was Converted into Non- Agriculture Land Conversion (NALA ORDER) Proceeding No.B2/767/2020 dated 17/03/2020, issued by R.D.O., Peddapalli, and ads in Dharani vide Khatha No.624, and the same was Converted into Non- Agriculture Land Conversion (NALA ORDER) Proceeding Proceeding No.2101070283 dated 26-11-2021, issued by Tahsildar and Joint Sub- Registrar Office, Peddapalli, situated at Bompally, H/o Appannapet Village, Mandal Parishad Ramagundam, Peddapalli District, within Registration District. Karimnagar, Sub- District. Peddapalli, without the reference of Memo No.G2/257/2019, issued by the respondent No.2

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 to receive, register and release the Sale Deed presented by the Petitioner in respect of Open Plots in Sy.Nos.224-227/1, Plot

No.1 an extent of 191.70 Sq.Yards, Plot No.2 an extent of 236.74 Sq.Yards, Plot No.3 an extent of 226.56 Sq.Yards, Plot No.4 an extent of 226.72 Sq.Yards, Plot No.5 an extent of 227.48 Sq.Yards, Plot No.6 an extent of 225.50 Sq.Yards, Plot No.7 an extent of 225.04 Sq.Yards, Plot No.8 an extent of 228.25 Sq.Yards, Plot No.9 an extent of 231.91 Sq.Yards, Plot No.10 an extent of 232.50 Sq.Yards, Plot No.11 an extent of 219.08 Sq.Yards, Plot No.12 an extent of 217.70 Sq.Yards, Plot No.13 an extent of 216.79 Sq.Yards, PlotNo.14 an extent of 215.41 Sq.Yards, Plot No.15 an extent of 214.04 Sq.Yards, Plot No.16 an extent of 213.12 Sq.Yards, Plot No.17 an e of 238.50 Sq.Yards, Plot No.18 an extent of 98.76 Sq.Yards & Plot No.19 to an iik extent of 44 Sq.Yards, total extent of 3929.80 Sq.Yards, having Records in Dharani vide Khatha No.624, and the same was Converted into Non-Agriculture Land Conversion (NALA ORDER) Proceeding No.B2/767/2020 dated 17-03-2020, issued by R.D.O., Peddapalli, and a Proceeding No.2101070283 dated 26-11-2021, issued by Tahsildar and Joint Sub-Registrar Office, Peddapalli, situated at Bompally, Hjo Appannapet Village, Mandal Parishad Ramagundam, Peddapalli District, within Registration District: Karimnagar, Sub- District: Peddapalli, without reference of Memo No.G2/257/2019, issued by the respondent No.2 pending disposal of the above writ petition

Counsel for the Petitioner: SRI KATIKA RAVINDER REDDY

Counsel for Respondents: AGP FOR REVENUE

The Court made the following: ORDER

HONOURABLE SRI JUSTICE N.V.SHRAVAN KUMAR

WRIT PETITION No.17177 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/-N.CHANDRA SEKHAR RAO
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Principal Secretary Revenue (Stamps and Registration), State of Telangana Secretariat, Hyderabad.
2. The Commissioner and Inspector General of Registration and Stamps, Telangana, Hyderabad.
3. The Sub-Registrar, Peddapalli, Peddapalli District.
4. The District Registrar, Karimnagar District.
5. One CC to Sri Katika Ravinder Reddy 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

SW 

HIGH COURT

DATED: 08/04/2022



ORDER

WP.No.17177 of 2022

10
19/04/2022

DISPOSING OF THE WRIT PETITION

WITHOUT COSTS