

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

(Special Original Jurisdiction)

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

PRESENT

THE HONOURABLE SRI JUSTICE N.V.SHRAVAN KUMAR

WRIT PETITION NO: 17350 OF 2022

Between:

1. Smt. Priyanka Singh, W/o.Sri. T.Chale Singh, Aged 35 years, Occ.Household, R/o. H.No.15-9-134, Maharaj Gunj, Hyderabad.
2. Smt. Manju Devi Rajpurohit, w/. Sri. Khet Singh Rajpurohit, Aged 45 years, Occ. Household, R/o. 14-3-85, Aryasamaj, Goshamahal, Hyderabad.

...PETITIONERS

AND

1. The State of Telangana, Rep. by its Principal Secretary, Revenue Stamps and Registration Department, Secretariat, Hyderabad.
2. The Commissioner and Inspector General, Stamps and Registration, Moazzam Jahi Market, Hyderabad, T.S.
3. The Sub-Registrar, Hyderabad, Red Hills, Hyderabad.

...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 any writ, order or direction more in the nature of Writ of Mandamus declaring the action of the 3rd respondent herein in refusing to receive, register and release the document presented by the petitioner in respect of Flat bearing No.301 on the third floor admeasuring 938.75 sq.ft with undivided share of land 21.27 sq.yards, Flat bearing No.302 on the third floor admeasuring 1082.50 sq.ft with undivided share of land 24.52 sq.yards, Flat bearing No.401 on the fourth floor admeasuring 938.75 sq.ft with undivided share of land 21.27 sq.yards, Flat bearing No.402 on the fourth floor admeasuring 1082.50 sq.ft with undivided share of land 24.52 sq.yards, Flat bearing No.501 on the fifth floor admeasuring 938.75 sq.ft with undivided share of land 21.27 sq.yards, Flat bearing No.502 on the fifth floor admeasuring 1082.50 sq.ft with undivided share of land 24.52 sq.yards, and Flat no.602 (Pent house) on the sixth floor admeasuring 1082.50 sq.ft with undivided share of land 24.52 sq.yards, in the building under name and style "RIDHI SIDHI KUNJ" constructed on property bearing H.No. 3-3-866, admeasuring 274.9 sq.yards situated at Kutbiguda, Hyderabad, on the ground that Memo vide proceeding No. G2/257/2019 dt.26.08.2020 is issued by the 2nd

respondent, as wholly illegal, arbitrary and contrary to the provisions of the Registration Act and consequently direct the 3rd respondent herein to receive, register and release the documents presented by the petitioners herein in respect of above shops without reference to the Memo No. G2/257/2019 dt.26.08.2020 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 3rd respondent herein to receive, register and release the document presented by the petitioners herein in respect of Flat bearing No.301 on the third floor admeasuring 938.75 sq.ft with undivided share of land 21.27 sq.yards , Flat bearing No.302 on the third floor admeasuring 1082.50 sq.ft with undivided share of land 24.52 sq.yards ,Flat bearing No.401 on the fourth floor admeasuring 938.75 sq.ft with undivided share of land 21.27 sq.yards; Flat bearing No.402 on the fourth floor admeasuring 1082.50 sq.ft with undivided share of land 24.52 sq.yards ; Flat bearing No.501 on the fifth floor admeasuring 938.75 sq.ft with undivided share of land 21.27 sq.yards, Flat bearing No.502 on the fifth floor admeasuring 1082.50 sq.ft with undivided share of land 24.52 sq.yards; and Flat no.602 (Pent house) on the sixth floor admeasuring 1082.50 sq.ft with undivided share of land 24.52 sq.yards; in the building under name and style "RIDHI SIDHI KUNJ" constructed on property bearing H.No. 3-3-866, admeasuring 274.9 sq.yards situated at Kutbiguda, Hyderabad, without reference to the Memo No. G2/257/2019 dt.26.08.2020 issued by the 2nd respondent, pending disposal of the writ petition.

Counsel for the Petitioners: SRI PRAMOD SINGH

Counsel for the Respondents: AGP FOR REVENUE

The Court made the following: ORDER

HONOURABLE SRI JUSTICE N.V.SHRAVAN KUMAR

W.P.No.17350 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/- G. SIREESHA
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. The Principal Secretary, Revenue Stamps and Registration Department, State of Telangana, Secretariat, Hyderabad.
2. The Commissioner and Inspector General, Stamps and Registration, Moazzam Jahi Market, Hyderabad, T.S.
3. The Sub-Registrar, Hyderabad, Red Hills, Hyderabad.
4. One CC to SRI. PRAMOD SINGH 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.

GB





HIGH COURT

NVSK,J

DATED:11/04/2022



ORDER

WP.No.17350 of 2022

DISPOSING OF THE WP
WITHOUT COSTS.

⑨ VLW
6/5/22