

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

MONDAY, THE EIGHTEENTH DAY OF APRIL
TWO THOUSAND AND TWENTY TWO

PRESENT

THE HONOURABLE SRI JUSTICE N.V.SHRAVAN KUMAR

WRIT PETITION NO: 17662 OF 2022

Between:

Mrs. Yasmeen Sultana, W/o. Syed Habeebuddin, Aged about 52 years, Occ: Household, R/o. H.No. 10-2-189/C, A Battary Lane, V.N. Colony, Hyderabad, Telangan State.

...PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary, Revenue Department, Secretariat, Hyderabad.
2. The Commissioner and Inspector General of Registration and Stamps, Hyderabad, Telangana.
3. The District Registrar, Hyderabad District, Telangana.
4. The Sub-Registrar Officer, Golconda, 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 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 refusing to receive, process to register and release the sale deed presented by petitioner in respect of Property Bearing Flat No. 402, On Fourth Floor, admeasuring 785 Sq. Feet, including Common Area together with an Undivided Share of land admeasuring 30 Sq. Yards, out of total land area of 269 Sq. Yards, in the Complex known as "HABEEN COMPLEX" bearing Municipal Nos. 13-6-

825/A/44/B, (PTI No. 1071302722) On Plot No.44, and 13-6-825/A/37/1, (PTI No. 1071322765) on Plot No. 37, situated at Mehdi Colony, Bapu Nagar, Langer House, Hyderabad, Telangana state, pursuant to the grounds of Memo No. G2/257/2019, Dated 26.08.2020 issued by the 2nd Respondent as arbitrary, illegal, without any jurisdiction, contrary to the provisions of the Registration Act, and consequently to direct the 4th Respondent to receive, process to register and release the sale deed presented by the petitioner pertaining to the subject property.

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 pass orders by directing the 4th Respondent to receive, process to register and release the sale deed presented by petitioner in respect of Property Bearing Flat No. 402, On Fourth Floor, adm. 785 Sq. Feet, with an Undivided Share of land adm. 30 Sq. Yds, out of total land area of 269 Sq. Yds, in the Complex "HABEEN COMPLEX" bearing Municipal Nos. 13-6-825/A/44/B, and 13-6-825/A/37/1, situated at Mehdi Colony, Bapu Nagar, Langer House, Hyderabad, T.S, till pending disposal of the above Writ Petition.

Counsel for the Petitioner : SRI. K. HARISH KUMAR

Counsel for the Respondents : GP FOR REVENUE

The Court made the following : ORDER

HONOURABLE SRI JUSTICE N.V.SHRAVAN KUMAR

WRIT PETITION No.17662 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/- B.S. CHIRANJEEVI
JOINT REGISTRAR



//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Revenue Department, Secretariat, State of Telangana, Hyderabad.
2. The Commissioner and Inspector General of Registration and Stamps, Hyderabad, Telangana.
3. The District Registrar, Hyderabad District, Telangana.
4. The Sub-Registrar Officer, Golconda, Hyderabad.
5. One CC to SRI. K. HARISH KUMAR, Advocate. [OPUC]
6. Two CCs to GP FOR REVENUE, High Court for the State of Telangana at Hyderabad. [OUT]
7. Two CD Copies
8. One Spare Copy

TR

SB





HIGH COURT

DATED:18/04/2022



ORDER

WP.No.17662 of 2022

DISPOSING OF THE WRIT PETITION
WITHOUT COSTS

10
mce
09/5/22