

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

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

PRESENT

THE HONOURABLE JUSTICE G. SRI DEVI

WRIT PETITION NO: 19108 OF 2022

Between:

Md. Akram Khan, S/o. Md. Akbar Khan, Aged about 31 years, Occ. Business,
R/o.H.No.8-2-222/3, Panjagutta. Somajiguda, Hyderabad - 50082. T.S.

...PETITIONER

AND

1. The State of Telangana, Rep by its Principal Secretary Revenue Department, Secretariat Buildings, Hyderabad.
2. The Commissioner and Inspector General of Registration and Stamps, NU Market, Hyderabad, Telangana Stagy
3. The District Registrar, Hyderabad District at Hyderabad_
4. The Sub-Registrar, Stamps and Registration Department, SRO Banjara 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 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, register and release the sale deed presented by the Petitioner for registration in respect of residential Flat No.401, Fourth Floor, admeasuring 1260 sq. feet (including common areas) including car parking in Stilt Floor together with undivided share of 23 sq. yards (out of total land area 584 sq. yards) in premises House bearing No.8-1-346/23 situated at Sabza Colony, Tolichowki, Hyderabad 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 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 4th Respondent to receive, register and release the sale deed 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.4 herein to receive, register and release the registered sale deed presented by the Petitioner for registration in respect of residential Flat No.401, Fourth Floor, admeasuring 1260 sq. feet (including common areas) including car parking in Stilt Floor together with undivided share of 23 sq. yards (out of total land area 584 sq. yards) in premises House bearing No.8-1- 346/23 situated at Sabza Colony, Tolichowki, Hyderabad without reference to Memo bearing No.G2/257/2019 dated 26.08.2020 and 29.12.2020 issued by the 2nd respondent.

Counsel for the Petitioner: SRI. K. NAGENDRA PRASAD

Counsel for the Respondents: GP FOR STAMPS AND REGISTRATION

The Court made the following: ORDER

HONOURABLE JUSTICE G.SRI DEVI

WRIT PETITION No. 19108 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 passed 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 and 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 reference 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.

As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition shall stand closed.

**SD/-L.SIVA PARVATHI
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary Revenue Department, State of Telangana Secretariat Buildings, Hyderabad.
2. The Commissioner and Inspector General of Registration and Stamps, NU Market, Hyderabad, Telangana Stagy
3. The District Registrar, Hyderabad District at Hyderabad

4. The Sub-Registrar, Stamps and Registration Department, SRO Banjara Hills, Hyderabad
5. One CC to Sri K. Nagendra Prasad, Advocate [OPUC]
6. Two CCs to GP for Stamps and Registrations, High Court for the State of Telangana at Hyderabad. [OUT]
7. Two CD Copies
8. One Spare Copy

CHR

HIGH COURT

DATED:26/04/2022

ORDER

W.P.No.19108 of 2022

**DISPOSING OF THE WRIT PETITION
WITHOUT COSTS**

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