

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

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

PRESENT

THE HONOURABLE SRI JUSTICE A.ABHISHEK REDDY

WRIT PETITION NO: 19437 OF 2022

Between:

VELISHALA THIRUPATHI, S/o.Late V.Kanakaiah, Aged about 77 years,
Occ. Private employee, R/o H.No. 4-4-118, Kothurjanda, HANAMKONDA Mandal
and District.

...PETITIONER

AND

1. The State Government of Telangana, rep. by Principal secretary to Revenues, Telangana State, HYDERABAD - 500 022
2. The Commissioner and Inspector General of Registration and Stamps Department, Telangana State, HYDERABAD - 500022.
3. The District Registrar, Warangal. Registration and stamps, Warangal District.
4. The Joint Sub Registrar, R.O. Warangal. Warangal 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 of Writ of Mandamus declaring the action of the 4th respondent in refusing to receive, process, register and release the Gift deed by the petitioner in favour of his cousin brother's son with regard to Open Plot admeasuring to an extent of 363 Sq.yds in Survey No.120/3, situated at Jyothi Rao Pule Nagar (Lotus Colony), KUC Road, Hanamkonda Village and Mandal Hanamkonda District, on the ground that the 2nd respondent had issued the impugned order vide Memo No. G2/257/2019 Dated 26/08/2020 not to register the unauthorized plots that were already having been converted into non agriculture land, as arbitrary, illegal, without jurisdiction and contrary to the provisions laid down in

the Registration Act, 1908 and in violation of Article 14 of Constitution of India and consequently direct the 4th respondent to receive register and release above the Gift Deed presented by the petitioner in respect of the above open plot, without reference to the Impugned Memo No. G2/257/2019 Dated 26/08/2020 in the interest of justice.

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 4th respondent to receive, register and release Gift deed relating to Open Plot admeasuring to an extent of 363 Sq.yds in Survey No.120/3, situated at Jyothi Rao Pule Nagar (Lotus Colony), KUC Road, Hanamkonda Village and Mandal Hanamkonda District, without reference to Memo No. G2/257/2019 Dated 26/08/2020 issued by the 2nd respondent as directed in WP No. 9248 of 2021 forthwith and dispose of this writ petition in the interest of service.

Counsel for the Petitioner : SRI. A JAGAN

Counsel for the Respondents : GP FOR REVENUE

The Court at the stage of admission following : ORDER

THE HON'BLE SRI JUSTICE A.ABHISHEK REDDY

WRIT PETITION No.19437 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 reference to the Memo Nos.G2/257/2019, dated 26.08.2020, 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 Commissioner, Municipal Corporation, Nizampet, to 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/-M.MANJULA
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Principal secretary to Revenues, State Government of Telangana
Telangana State, Hyderabad - 500 022
2. The Commissioner and Inspector General of Registration and Stamps
Department, Telangana State, Hyderabad - 500022.

3. The District Registrar, Warangal. Registration and stamps, Warangal District.
4. The Joint Sub Registrar, R.O. Warangal. Warangal District.
5. One CC to SRI. A JAGAN ,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

SB
SB



HIGH COURT

DATED:25/04/2022



ORDER

WP.No.19437 of 2022

**DISPOSING OF THE WRIT PETITION
AT THE STAGE OF ADMISSION
WITHOUT COSTS.**

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