

**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 HON'BLE Dr. JUSTICE CHILLAKUR SUMALATHA

WRIT PETITION NO: 19582 OF 2022

Between:

NASREEN MOHAMMED, W/o Sultan Shoeb Ahmed, Aged about 52 years, Occ. Housewife, R/o H.No.11-3-140/2/B, Mahmoodguda, Srinivas Nagar, Secunderabad.

...PETITIONER

AND

1. THE STATE OF TELANGANA, Represented by its Principal Secretary, Revenue Department Secretariat, Hyderabad.
2. THE COMMISSIONER AND INSPECTOR, General of Registration and Stamp, Telangana, Hyderabad.
3. THE DISTRICT REGISTRAR, Ranga Reddy District.
4. THE SUB-REGISTRAR, Gandipet, Ranga Reddy 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 pass an order, direction or writ more particularly one in the nature of writ of mandamus declaring the action of the Respondent No.4 in refusing to receive, process to register and release the Partition Deeds/Gift Deeds/Release Deeds/ Sale Deeds/Agreement of Sale-cum-General Power of Attorney/ Agreement of Sale-cum-General Power of Attorney with Possession/Will Deeds to be presented by the Petitioners in respect of (1) Flat No.302, Third Floor, admeasuring 1000 sq.ft including common areas along with car parking together with undivided share of land admeasuring 18 sq.yds out of 200 sq.yds (2) Flat No.401, Fourth Floor, admeasuring 1000 sq.ft including common areas along with car parking together with undivided share of land admeasuring 18 sq.yds out of 200 sq.yds and (3) Flat No.502, Fifth Floor, admeasuring 1000 sq.ft including common areas together with undivided share of land admeasuring 18 sq.yds out of 200 sq.yds constructed on Plot No.336, admeasuring 200 sq.yds or 167.20 sq.mts in Sy.Nos.101, 102 and 103, situated at Puppalguda Village, Gandipet Mandal, Ranga Reddy District by referring the grounds of Memo No.G2/257/2019 Dated 26.08.2020 issued by the Respondent No.2 as it being illegal, arbitrary unjustified and against to the provisions of law and consequently direct the Respondent No.4 to receive and register the Partition Deeds/Gift Deeds/Release

Deeds/Sale Deeds/Agreement of Sale-cum-General Power of Attorney/ Agreement of Sale-cum-General Power of Attorney with Possession/Will Deeds to be presented by the Petitioners pertaining to the above property thereby to release the same in accordance with law without referring the grounds of Memo No.G2/257/2019 Dated 26.08.2020.

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 to receive, process to register the Partition Deeds/Gift Deeds/Release Deeds/Sale Deeds/Agreement of Sale-cum-General Power of Attorney/Agreement of Sale-cum-General Power of Attorney with Possession/Will Deeds to be presented by the Petitioners in respect of (1) Flat No.302, Third Floor, admeasuring 1000 sq.ft including common areas along with car parking together with undivided share of land admeasuring 18 sq.yds out of 200 sq.yds (2) Flat No.401, Fourth Floor, admeasuring 1000 sq.ft including common areas along with car parking together with undivided share of land admeasuring 18 sq.yds out of 200 sq.yds and (3) Flat No.502, Fifth Floor, admeasuring 1000 sq.ft including common areas together with undivided share of land admeasuring 18 sq.yds out of 200 sq.yds constructed on Plot No.336, admeasuring 200 sq.yds or 167.20 sq.mts in Sy.Nos.101, 102 and 103, situated at Puppalguda Village, Gandipet Mandal, Ranga Reddy District without referring the Memo No.G2/257/2019, Dated 26.08.2020 issued by the Respondent No.2 thereby to release the same.

Counsel for the Petitioner : SRI. V.VENKAT RAMANA REDDY

Counsel for the Respondent No. 1 to 3 : GP FOR STAMPS AND REGISTRATION

The Court made the following : ORDER

THE HON'BLE Dr. JUSTICE CHILLAKUR SUMALATHA

WRIT PETITION No.19582 OF 2022

ORDER:

Heard the submission of learned counsel for the petitioner as well as the learned Government Pleader for Stamps and Registration. Perused the material available on record.

2. Learned counsel for the petitioner as well as the learned Government Pleader for Stamps and Registration submits that the 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. By stating so, they seek to dispose of the present Writ Petition in terms of the above order.

3. Having regard to the afore-mentioned submission, this Court considers it desirable to dispose of the present Writ Petition 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.

(i) The respondent - Sub-Registrar is directed to register the document presented for registration by the petitioner/s without reference to the Memo Nos.G2/257/2019 dated 26.08.2020 and 1

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 Registrar concerned 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.

(iv) The respondent - Sub-Registrar, however, shall register the document in case the same is in accordance with law regarding all other aspects.

4. The Writ Petition is accordingly disposed of. No order as to costs.

5. As a sequel, miscellaneous petitions pending, if any, shall stand closed.

SD/- M. MANJULA
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Revenue Department, STATE OF TELANGANA, Secretariat, Hyderabad.
2. THE COMMISSIONER AND INSPECTOR General of Registration and Stamps, Telangana, Hyderabad.
3. THE DISTRICT REGISTRAR, Ranga Reddy District.
4. THE SUB-REGISTRAR, Gandipet, Ranga Reddy District.
5. One CC to SRI. V.VENKAT RAMANA REDDY, Advocate [OPUC]
6. Two CCs to GP FOR STAMPS AND REGISTRATION, High Court for the State of Telangana at Hyderabad. [OUT]
7. Two CD Copies.
8. One Spare Copy.

JS

HIGH COURT

DATED : 25/04/2022



ORDER

WP.No. 19582 of 2022

**DISPOSING OF THE WRIT PETITION
WITHOUT COSTS**

⑩
27/5/22
Hv+