

**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.VENKATESHWARA REDDY

WRIT PETITION NO: 19904 OF 2022

Between:

1. Erukulla Raju Kumar, S/o. E.Rajendram, Aged about 36 years, Occ.Business, R/o.H.No.30-2-108, Madikonda, Hyderabad Main Road, Warangal Urban District.
2. Erukulla Raveen, S/o. E.Rajendram, Aged about 34 years, Occ.Govt. Employee, R/o.H.No.30-2-108, Madikonda, Hyderabad Main Road, Warangal Urban District.

...PETITIONERS

AND

1. The State of Telangana, Rep.by its Principal Secretary, Stamps and Registration Department Telangana Secretariat at Hyderabad.
2. The Commissioner, and Inspector General of Registration and Stamps Mojamjahi Market, Hyderabad, Telangana State.
3. The District Registrar, Registration and Stamps Department, Warangal District, Warangal.
4. The Joint Sub-Registrar, Ghanpur (Stn.) (RO), 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 respondents more particularly respondent No. 4 in not receiving processing registering and releasing the document presented by the petitioners in respect of small extent of open Plot Nos.1, 2, 3, 5, 6, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 32, 33, 35, 36, 37, 38, 40, 41, 44, 45, 46, 47, 48, 49, 50 (total 31 plots) an extent of admeasuring of 3770.00 sq. yards and total an admeasuring of 3385.00 sq. yards out of in Sy.No.14/A, 14/A presently revised Sy.Nos. 14/A/1/1, 14/A/1/2, 14/A/1/3, 14/A/1/4,

reassigned and re allotted with sub-division Sy.Nos. 14/A/1/1/3, 14/A/1/1/4, 14/A/2, 14/A/3/1, 14/A/4 respectively situated at Shivunipalle Revenue Village, Station Ghanpur Mandal, Jangaon District, in view of the Memo No. G2/257/2019 dated 26/8/2020 passed by the 2nd respondent as being illegal arbitrary violative of articles of 14, 21 and 300-A of Constitution of India besides violative of principles of natural justice and contrary to the Registration Act 1908 and consequently direct the 4th respondent to receive process register and release the sale deeds in respect of above mentioned open Plots without reference to the Memo issued by the 2nd respondent and to pass and pass

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, process, register and release the sale deeds in respect of small extent of open Plot Nos. 1, 2, 3, 5, 6, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 32, 33, 35, 36, 37, 38, 40, 41, 44, 45, 46, 47, 48, 49, 50 (total 31 plots) an extent of admeasuring of 3770.00 sq. yards and total an admeasuring of 3385.00 sq. yards out of in Sy.No.14/A, 14/A presently revised Sy.Nos. 14/A/1/1, 14/A/1/2, 14/A/1/3, 14/A/1/4, reassigned and re allotted with sub-division Sy.Nos. 14/A/1/1/3, 14/A/1/1/4, 14/A/2, 14/A/3/1, 14/A/4 respectively situated at Shivunipalle Revenue Village, Station Ghanpur Mandal, Jangaon District, without reference to the Memo dated 26.8.2020 issued by the 2nd respondent, pending disposal of the Writ Petition in this Hon^oable Court

Counsel for the Petitioner(s):SRI. RAVI KUMAR VADLAKONDA

Counsel for the Respondents: GP FOR STAMPS AND REGISTRATION (TG)

The Court made the following: ORDER

**HONOURABLE SRI JUSTICE A.VENKATESHWARA
REDDY**

WRIT PETITION No. 19904 OF 2022

ORDER :

Heard the learned counsel for the writ petitioner and learned Assistant Government Pleader for Appeals and Arbitration Ms. Durga Bhavani.

2. Perused the averments filed in support of the affidavit and page 23 of the paper book wherein photocopy of lay out is filed with individual extents of the plots bearing no.1 to 3, 5, 6, 9 to 19, 32, 33, 35 to 38, 40, 41, 44 to 50 (total 31 plots) individual extents are detailed in the photocopy of the lay out.

3. Having regard to the submissions made by the learned counsel for the petitioner and the learned Assistant Government Pleader, the following order is passed:

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.

4. 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 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 this writ petition stand closed.

//TRUE COPY//

SD/-G.SIREESHA
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary, Stamps and Registration Department Telangana State of Telangana Secretariat at Hyderabad.
2. The Commissioner, and Inspector General of Registration and Stamps Mojamjahi Market, Hyderabad, Telangana State.
3. The District Registrar, Registration and Stamps Department, Warangal District, Warangal.
4. The Joint Sub-Registrar, Ghanpur (Stn.) (RO), Warangal District.
5. One CC to SRI. RAVI KUMAR VADLAKONDA Advocate [OPUC]
6. Two CCs to GP FOR STAMPS AND REGISTRATION (TG), High Court for the State of Telangana. [OUT]
7. Two CD copies
8. One spare copy

HIGH COURT

DATED:25/04/2022



ORDER

WP.No.19904 of 2022

**DISPOSING OF THE WRIT PETITION
WITHOUT COSTS.**

AKM (10)
18/6/2022