

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

(Special Original Jurisdiction)

FRIDAY, THE TWENTY NINTH DAY OF APRIL
TWO THOUSAND AND TWENTY TWO

PRESENT

THE HONOURABLE SRI JUSTICE B.VIJAYSEN REDDY

WRIT PETITION NO: 22513 OF 2022

Between:

1. Bokka Sanjeeva Reddy, S/o. Late Bokka Yadi Reddy, Occ. Business, R/o. H.No.2-2-155, Yadav Reddy Nagar, Upperpally Village, GHMC, Rajendranagar Circle, Hyderabad-500048,
2. Bokka Narsimha Reddy, S/o. Late Bokka Yadi Reddy, Occ. Business, R/o. H.No.2-2-49, Upperpally Village, GHMC, Rajendranagar Circle, Hyderabad-500048,
3. Bokka Mukesh Reddy, S/o. Late Bokka Sathi Reddy, Occ. Business,
4. Bokka Prashanth Reddy, S/o. Late Bokka Sathi Reddy, Occ. Business,
Nos.3 and 4 are R/o. H.No.2-1-119, Reddy Basthi, Upperpally, Hyderguda Village, GHMC, Rajendranagar Circle, Hyderabad-500048,
5. Bokka Laxmamma, W/o. Bokka Ram Reddy, Occ. Housewife, R/o. H.No.2-2-51, Upperpally Village, GHMC, Rajendranagar Circle, Hyderabad-500048,
6. Bokka Kantha Reddy, S/o. Late Bokka Ram Reddy, Occ. Business, R/o. H.No.2-2-152, Upperpally Village, GHMC, Rajendranagar Circle, Hyderabad-500048.

...Petitioners

AND

1. That State of Telangana, Rep. by its Principal Secretary, Revenue (Stamps and Registration) Department, Secretariat, Hyderabad.
2. The Commissioner and Inspector General, Stamps and Registration Department, Mozamzahi Market Road, Jambagh, Hyderabad.
3. The Sub Registrar, Stamps and Registration Department, Rajendranagar, 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 issue a writ, order, or direction more particularly one in the nature of writ of mandamus declaring the action of the Respondent No.3 in not receiving, registering, and releasing the sale deed executed by the Petitioners in favour of prospective purchaser in respect of Open plot bearing No.30, admeasuring 136 sq. yds, in Sy.Nos.117/AA1 and 121/RU, situated at "ZOLTAN BM VALLEY", Budwel Village, GHMC, Rajenderanagar Circle, R.R.District, on the basis of memo issued by the Respondent No.2 in Memo No.G2/257/2019, dated 26.02.2020, as arbitrary, illegal, and violation of article 14 and 300A of the Constitution of India apart from being violative of the provisions of the

Indian Registration Act and consequently direct the Respondent No.3 to receive, register, and release the sale deed executed by the Petitioners in respect of plot bearing No 30 admeasuring 136 sq. yds, in Sy.Nos.117/AA1 and 121/RU, situated at "ZOLTAN BM VALLEY", Budwel Village, GHMC, Rajenderanagar Circle, R.R.District;

IA NO: 1 OF 2022

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to direct the Respondent No.3 to receive, register, and release the sale deed executed by the Petitioners in respect of plot bearing No. 30 admeasuring 136 sq. yds, in Sy.Nos.117/AA1 and 121/RU, situated at "ZOLTAN BM VALLEY", Budwel Village, GHMC, Rajenderanagar Circle, R.R. District;

Counsel for the Petitioners:

SRI. B BAL REDDY

**Counsel for the Respondents:
The Court made the following
ORDER:**

ASST GP FOR REVENUE

THE HON'BLE SRI JUSTICE B. VIJAYSEN REDDY

WRIT PETITION No.22513 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 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.

//TRUE COPY//

SD/- K. AMMAJI
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary, Revenue (Stamps and Registration) Department, State of Telangana, Secretariat, Hyderabad.
2. The Commissioner and Inspector General, Stamps and Registration Department, Mozamzahi Market Road, Jambagh, Hyderabad.
3. The Sub Registrar, Stamps and Registration Department, Rajendranagar, Ranga Reddy District.
4. One CC to Sri B Bal Reddy Advocate [OPUC]
5. Two CC to GP for Revenue, High Court for the State of Telangana. [OUT]
6. Two CD copies

HIGH COURT

BVRJ

DATED:29/04/2022

ORDER



WP.No.22513 of 2022

WRIT PETITION IS DISPOSED OF WITHOUT COSTS