

**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 HON'BLE SRI JUSTICE B. VIJAYSEN REDDY

WRIT PETITION NO: 22971 OF 2022

Between:

P. Venkataiah @ Venkateswarlu @ Venkati, S/o. Aged 66 years, Occ. Business, R/o. Kaikondayagudem Village, Khammam Rural Mandal, Khammam District.

...PETITIONER

AND

1. The State of Telangana, Rep by its Principal Secretary, Revenue (Stamps and Registration), Secretariate, Hyderabad.
2. The Commissioner and Inspector General of Registration and Stamps, Telangana, Hyderabad.
3. The Sub-Registrar, Khammam Urban Mandal, Khammam, Khammam District.
4. The Joint Sub Registrar, Khammam Urban-I Mandal, Khammam, Khammam District.
5. The Sthambhadri Urban Development Authority, Represented by its Vice Chairman, Khammam, Khammam 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 Writ or direction preferably Writ of Mandamus, declaring the action of Respondent No.3 and 4 in not receiving, registering and releasing the sale deeds that may be presented by Petitioner in respect of Plots in Sy. No.311/A2 (311/2 as per land conversion) and 312/E (312/4 as per land conversion), Plot No.83 admeasuring 240Sq. yards, Plot No.84 admeasuring 199Sq. yards, Plot No.85 admeasuring 160 Sq. yards, Plot No.86 admeasuring 120 Sq. yards, Plot No.87 admeasuring 83.00 Sq. yards, Plot No.88 admeasuring 42 Sq. yards, Plot No.141 admeasuring 240 Sq. yards, Plot No.142 admeasuring 240 Sq. yards, Plot No.143 admeasuring 240 Sq. yards, Plot No.144 admeasuring 240 Sq. yards, Plot No.145 admeasuring 240 Sq. yards, Plot No.146 admeasuring 240 Sq. yards, Plot No.147 admeasuring 240 Sq. yards, Plot No.148 admeasuring 240 Sq. yards, Plot No.149 admeasuring 240 Sq. yards, Plot No.150 admeasuring 240 Sq. yards, Plot No.151 admeasuring 240 Sq. yards, Plot No.152 admeasuring

240 Sq. yards, Plot No.153 admeasuring 240 Sq. yards, Plot No.154 admeasuring 240 Sq. yards, Plot No.155 admeasuring 240 Sq. yards, Plot No.156 admeasuring 240 Sq. yards, Plot No.157 admeasuring 240 Sq. yards, Plot No.158 admeasuring 240 Sq. yards, Plot No.159 admeasuring 240 Sq. yards, Plot No.160 admeasuring 240 Sq. yards, Plot No.168 admeasuring 240 Sq. yards, Plot No.169 admeasuring 240 Sq. yards, Plot No.171 admeasuring 240 Sq. yards, Plot No.173 admeasuring 240 Sq. yards, Plot No.174 admeasuring 240 Sq. yards, situated at Kaikondayagudem Gram Panchayat, Mallemadugu Revenue Village, Mallemadugu Village, Khammam Rural Mandal, Khammam District, as illegal, arbitrary and violative of principles of natural justice and consequently direct the Respondent No.3 and 4 to receive, register and release the sale deeds that may be presented by the Petitioner in respect of subject properties without reference of the Memo No. G2/257/2019 dated 26/08/2020 issued by the Respondent No.2,

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.3 and 4 to receive, register and release the sale deeds that may be presented by Petitioner in respect of Plots in Sy. No.311/A2 (311/2 as per land conversion) and 312/E (312/4 as per land conversion), Plot No.83 admeasuring 240Sq. yards, Plot No.84 admeasuring 199Sq. yards, Plot No.85 admeasuring 160 Sq. yards, Plot No.86 admeasuring 120 Sq. yards, Plot No.87 admeasuring 83.00 Sq. yards, Plot No.88 admeasuring 42 Sq. yards, Plot No.141 admeasuring 240 Sq. yards, Plot No.142 admeasuring 240 Sq. yards, Plot No.143 admeasuring 240 Sq. yards, Plot No.144 admeasuring 240 Sq. yards, Plot No.145 admeasuring 240 Sq. yards, Plot No.146 admeasuring 240 Sq. yards, Plot No.147 admeasuring 240 Sq. yards, Plot No.148 admeasuring 240 Sq. yards, Plot No.149 admeasuring 240 Sq. yards, Plot No.150 admeasuring 240 Sq. yards, Plot No.151 admeasuring 240 Sq. yards, Plot No.152 admeasuring 240 Sq. yards, Plot No.153 admeasuring 240 Sq. yards, Plot No.154 admeasuring 240 Sq. yards, Plot No.155 admeasuring 240 Sq. yards, Plot No.156 admeasuring 240 Sq. yards, Plot No.157 admeasuring 240 Sq. yards, Plot No.158 admeasuring 240 Sq. yards, Plot No.159 admeasuring 240 Sq. yards, Plot No.160 admeasuring 240 Sq. yards, Plot No.168 admeasuring 240 Sq. yards, Plot No.169 admeasuring 240 Sq. yards, Plot No.171

admeasuring 240 Sq. yards, Plot No.173 admeasuring 240 Sq. yards, Plot No.174 admeasuring 240 Sq. yards, situated at Kaikondayagudem Gram Panchayat, Mallemadugu Revenue Village, Mallemadugu Village, Khammam Rural Mandal, Khammam District, without reference of the Memo No.G2/257/2019, dated 26/08/2020, issued by the Respondent No.2, pending disposal of the main writ petition, in the interest of justice

Counsel for the Petitioner: SRI M V HANUMANTHA RAO

Counsel for Respondents: AGP FOR REVENUE

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE B. VIJAYSEN REDDY

WRIT PETITION No.22971 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.

Sd/- T.KRISHNA KUMAR
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

- To,
1. The Principal Secretary, Revenue (Stamps and Registration), State of Telangana Secretariate, Hyderabad.
 2. The Commissioner and Inspector General of Registration and Stamps, Telangana, Hyderabad.

Contd...

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3. The Sub-Registrar, Khammam Urban Mandal, Khammam, Khammam District.
 4. The Joint Sub Registrar, Khammam Urban-I Mandal, Khammam, Khammam District.
 5. The Vice Chairman, Sthambhadri Urban Development Authority, Khammam, Khammam District.
 6. One CC to Sri M V Hanumantha Rao Advocate [OPUC]
 7. Two CCs to GP For Revenue, High Court for the State of Telangana. [OUT]
 8. Two CD Copies
 9. One Spare Copy

MBC



HIGH COURT

DATED: 29/04/2022



ORDER

WP.No.22971 of 2022

DISPOSING OF THE WRIT PETITION

WITHOUT COSTS

(11) VLW
5/5/22