

**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 N.V.SHRAVAN KUMAR

WRIT PETITION NO: 23206 OF 2022

Between:

M.A Qhudus Ahmed, S/o. Md Ahmed kabeer, Aged about 43 years,
Occ: Business, R/o. H.No. 2-2-14, Madhava Nagar, Sangareddy, Telangana
502001.

...PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary, Revenue Department, Secretariat, Hyderabad, Telangana.
2. The Inspector General, Stamps and Registration, MoazzamJahi Market, Hyderabad, Telangana.
3. The Sub-Registrar, Kandi, Sangareddy District, Telangana.

...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, Order or direction more particularly one in the nature WRIT OF MANDAMUS declaring the action of the 3rd Respondent in not receiving, registering and releasing the documents in favour of the prospective purchasers produced by the petitioner in respect of Plot Nos. 26, 27, 28 and 29 (Total 04 plots), in Sy.Nos. 23/A, 23/E, 23/EE, 394/A/1, 394A/1, 394E/1 situated in Kalvakunta Sangareddy, Telangana, basing on the memo issued by the Respondent No. 2 vide Memo No. G2/257/2019 dated. 26/08/2020, amended memo No. G2125712019 dated. 29/12/2020, inspite of order dated. 23/08/2021 passed by this Honourable Court in W.P.No. 9248 of 2021, as illegal, arbitrary and violation of Articles 14, 21 and 300-A of Constitution of India and contrary to the provisions of the Registration Act, 1908 also against the principles of natural 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 3rd Respondent to receive, register and release the document in favour of the prospective purchasers produced by the petitioner in respect of Plot Nos. 26, 27, 28 and 29 (Total 04 plots), in Sy.Nos. 23/A, 23/E, 23/EE, 394/A/1, 394A/1, 394E/1 situated in Kalvakunta Sangareddy, Telangana,, pending disposal of the writ petition.

Counsel for the Petitioner : SRI. MD GHOUSE MATEEN UDDIN

Counsel for the Respondents: AGP FOR REVENUE

The Court made the following : ORDER

THE HONOURABLE SRI JUSTICE N.V.SHRAVAN KUMAR

WRIT PETITION No.23206 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 dated 18.02.2022 passed by this Court 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 and batch, as such, this writ petition may be disposed of in terms thereof.

3. Therefore, following the common order dated 18.02.2022 passed by this Court 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 and batch, 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, 2 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,

subject to the petitioner(s) complying with the provisions of the Indian Registration Act, 1908, and Indian Stamp Act, 1899. It is open to the Registering Authority to refuse/receive the document(s) presented before him, if he has any other objection, by duly assigning reasons in support of such decision and communicate the said decision to the petitioner(s);

(ii) the respondent – 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 applications, 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 Department, State of Telangana Secretariat, Hyderabad, Telangana.
2. The Inspector General, Stamps and Registration, MoazzamJahi Market, Hyderabad, Telangana.

3. The Sub-Registrar, Kandi, Sangareddy District, Telangana.
4. One CC to SRI. MD GHOUSE MATEEN UDDIN, Advocate. [OPUC]
5. Two CCs to GP FOR REVENUE ,High Court for the State of Telangana at Hyderabad. [OUT]
6. Two CD Copies
7. One Spare Copy

SB

SB



HIGH COURT

DATED:29/04/2022



ORDER

WP.No.23206 of 2022

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

(9) *VW*
17/5/22