

(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

TUESDAY, THE FOURTEENTH DAY OF JUNE TWO THOUSAND AND TWENTY
TWO

:PRESENT:
THE HONOURABLE SRI JUSTICE N.V.SHRAVAN KUMAR

WRIT PETITION NO: 25003 OF 2022

Between:

Sara Jajerao Kumar, S/o. Late. S.J.Shivaram.

Petitioner

AND

1. The State of Telangana, Rep by its Principal Secretary, Revenue Department, Secretariat, Hyderabad.
2. The District Collector and Magistrate, Ranga Reddy District, At Lakdi-ka-pul, Hyderabad.
3. The District Registrar, Ranga Reddy District, At Moosapet, Hyderabad.
4. The Sub-Registrar, R. O. Ranga Reddy, Ranga Reddy District.

Respondents

WHEREAS the Petitioner above named through his Advocate SRI RAJAGOPALLAVAN TAYI presented this 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 any writ order or direction more particularly one in the nature of Writ of Mandamus declaring the inaction of the respondent No.3 and 4 in receiving, processing and registering the Gift Deed presented by the petitioner in respect of southern part of House No. 2-H/438/3, (PTIN No. 1219986797), in Survey No. 61, admeasuring 150.66 Sq.Yards or equivalent to 125.95 Sq.Mtrs (Out of 301.33 Sq.Yards), situated at Maktha Mahaboobpet Village, Serilingampally Mandal, under GHMC Serilingampally Circle, Ranga Reddy District, Telangana as illegal, arbitrary and unconstitutional and to issue a consequential direction to the 3rd & 4th Respondents to register, process and release the gift deed pertaining to the property southern part of House No. 2-H/438/3, (PTIN No. 1219986797), in Survey No. 61, admeasuring 150.66 Sq.Yards or equivalent to 125.95 Sq.Mtrs (Out of 301.33 Sq.Yards), situated at Maktha Mahaboobpet Village, Serilingampally Masada. Under GHMC Serilingampally Circle, Ranga Reddy District, Telangana, without reference to the letter of the Collector and Magistrate, Ranga Reddy District in Lr.No.E5 2825/2011 dated 10.06.2021 and 29.09.2021;

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri RAJAGOPALLAVAN TAYI, Advocate for the Petitioner and Asst. GP for Revenue, who took notice on behalf of the Respondents, directed issue of notice to the Respondents herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. The Principal Secretary, Revenue Department, State of Telangana, Secretariat, Hyderabad.
2. The District Collector and Magistrate, Ranga Reddy District, At Lakdi-ka-pul, Hyderabad.
3. The District Registrar, Ranga Reddy District, At Moosapet, Hyderabad.
4. The Sub-Registrar, R. O. Ranga Reddy, Ranga Reddy District.

Are directed to show cause on or before 26-07-2022 to which date the case stands posted as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted.

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 register and release the gift deed pertaining to the property southern part of House No. 2-H/438/3, (PTIN No. 1219986797), in Survey No. 61, admeasuring 150.66 Sq.Yards or equivalent to 125.95 Se.Mtrs (Out of 301.33 Sq.Yards), situated at Maktha Mahaboobpet Village, Serilingampally Mandal, under GHMC Serilingampally Circle, Ranga Reddy District, Telangana, without reference to the letter of the Collector and Magistrate, Ranga Reddy District in Lr.No.E5/2825/2011 dated 10.06.2021 and 29.09.2021, pending disposal of WP No. 25003 of 2022, on the file of the High Court.

The Court made the following:

ORDER:

Notice before admission.

Learned Assistant Government Pleader for Revenue takes notice on behalf of respondents Nos.1 to 4.

Learned counsel for the petitioner submits that this Court while dealing with similar issue in W.P. No.19851 of 2022, dated 29.04.2022, granted interim orders with a direction to the respondents to receive and process the documents.

The registering authority is directed to receive the document presented by the petitioner, subject to the petitioner paying stamp duty and registration charges, register and release the document, if it is otherwise found to be in compliance with the requirement of the Registration Act, 1908 and the Indian Stamp Act, 1899. However, it is made clear that such registration is only a provisional one and subject to the final orders likely to be passed by this Court in the present writ petition. It is also made clear that such registration is without prejudice to the rights of the third parties, if any.

Registry shall make an endorsement on the writ petition to the effect that the same shall not be permitted to be withdrawn.

Post on 26.07.2022.

//TRUE COPY//

SD/- K. SAILESHI
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary, Revenue Department, State of Telangana, Secretariat, Hyderabad.
2. The District Collector and Magistrate, Ranga Reddy District, At Lakdi-ka-pul, Hyderabad.
3. The District Registrar, Ranga Reddy District, At Moosapet, Hyderabad.
4. The Sub-Registrar, R. O. Ranga Reddy, Ranga Reddy District. (1 to 4 by RPAD- along with a copy of petition and affidavit)
5. One CC to SRI RAJAGOPALLAVAN TAYI Advocate [OPUC]
6. Two CCs to GP FOR Revenue, High Court at Hyderabad. [OUT]
7. The Section Officer, WP (Non-Service) Section, High Court for the State of Telangana at Hyderabad.
8. One spare copy

mvj

HIGH COURT

NVSK,J

DATED:14/06/2022

Post on 26.07.2022

NOTICE BEFORE ADMISSION

WP.No.25003 of 2022

DIRECTION

