

**HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
(Special Original Jurisdiction)**

**THURSDAY, THE EIGHTH DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY TWO**

PRESENT

THE HONOURABLE SRI JUSTICE A. ABHISHEK REDDY

WRIT PETITION NO: 35140 OF 2022

Between:

Smt. Balya Kiranmai, W/o Sri Balya Madhu Goud, Aged about 28 years,
Occ: Housewife, R/o H.No.3-16-110/745, Vasavi Nagar, Ramanthapur, Uppal
Mandal, Medchal-Malkajigiri District.

...PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary, Revenue (Registration and Stamps) Department, Secretariat Building, Hyderabad.
2. The Commissioner and Inspector General of Registration and Stamps, Telangana State at Hyderabad.
3. The Sub-Registrar, Uppal, Medchal-Malkajigiri District.
4. The District Collector, Medchal-Malkajigiri District.
5. The Hyderabad Metropolitan Development Authority, Represented by its Commissioner, Ameerpet, Hyderabad.

...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, by declaring the action of the 4th respondent in not communicating to the 3rd respondent of the De-Notifying and deleting the property of the petitioner from prohibition list of properties under section 22-A of Registration Act, as arbitrary, illegal, unlawful, without jurisdiction and contrary to the provisions of the Registration Act, 1908 and in violation of Article 14 of Constitution of Indian and consequently to direct the respondent Nos. 3 and 4 to receive, register and release the Sale Deed presented by the petitioner in respect of the piece and parcel of Plot No.13/Part, in Survey Nos.59/2 and 63/2, admeasuring 68 Sq.Yards., or 56.84 Sq.Mtrs., situated at Block No.1, Ramanthapur Bagayath, under GHMC, Uppal Circle, Uppal Mandal, Medchal-Malkajigiri District, Telangana State, by De-Notifying the same under section 22-A of Registration Act.

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 Nos. 3 and 4 to receive, register and release the Sale Deed presented by the petitioner in respect of the piece and parcel of Plot No.13/Part, in Survey Nos.59/2 and 63/2, admeasuring 68 Sq.Yards., or 56.84 Sq.Mtrs., situated at Block No.1, Ramanthapur Bagayath, under GHMC, Uppal Circle, Uppal Mandal, Medchal-Malkajgiri District, Telangana State, by De-Notifying the same under section 22-A of Registration Act, during the pendency of the above writ petition.

Counsel for the Petitioner: SRI. METTU SHANKAR

Counsel for the Respondent Nos.1 to 4: GP FOR REVENUE

Counsel for the Respondent No.5: SRI V. NARASIMHA GOUD, SC FOR HMDA

The Court at the stage of admission made the following: ORDER

THE HON'BLE SRI JUSTICE A. ABHISHEK REDDY

WRIT PETITION No.35140 of 2022

ORDER:

Heard the learned counsel for the petitioner, the learned Government Pleader for Revenue appearing for respondent Nos.1 to 4, and Sri V. Narasimha Goud, the learned Standing Counsel for HMDA appearing for respondent No.5. With their consent, the present Writ Petition is being disposed of at the stage of admission.

This writ petition is filed seeking a writ of *mandamus* directing the respondent Nos.3 and 4 to receive, register and release the sale deed presented by the petitioner in respect of subject property situated at Block No.1, Ramanthapur Bagayath, Uppal Mandal, Medchal-Malkajgiri District.

Learned counsel for the petitioner has stated that in similar circumstances, this Court has passed orders in W.P.No.28224 of 2022, dated 22.07.2022, and prayed this Court for passing similar order in the present writ petition.

The above said submission is not disputed by the learned Government Pleader.

Having regard to the order dated 22.07.2022 passed by this Court in W.P.No.28224 of 2022, without going into the merits or demerits of the

case, this Writ Petition is disposed of directing the respondent No.3 - Sub Registrar, Uppal, Medchal-Malkajgiri District to receive and process the sale deed presented by the petitioner in respect of the subject property, without reference to the Notification issued by the respondent No.4 vide No.G1/3617/2005, dated 05.07.2006, published in Andhra Pradesh Gazette Notification in R.R.No.40, dated 06.07.2006, if the same is otherwise in compliance with the provisions of the Registration Act, 1908, and Indian Stamp Act, 1899.

Miscellaneous petitions pending, if any, shall stand closed. There shall be no order as to costs.

//TRUE COPY//

Sd/- B. SATYAVATHI
DEPUTY REGISTRAR
SECTION OFFICER

To,

1. The Sub-Registrar, Uppal, Medchal-Malkajgiri District.
2. One CC to Sri Mettu Shankar, Advocate [OPUC]
3. Two CCs to GP for Revenue, High Court for the State of Telangana at Hyderabad. [OUT]
4. One CC to Sri V. Narasimha Goud, SC FOR HMDA [OPUC]
5. Two CD Copies
6. One Spare Copy

CHR



HIGH COURT

AAR,J

DATED:08/09/2022



ORDER

W.P.No.35140 of 2022

**DISPOSING OF THE WRIT PETITION
AT THE STAGE OF ADMISSION
WITHOUT COSTS**

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MA
23/9/22