

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

(Special Original Jurisdiction)

**TUESDAY, THE TWENTY SECOND DAY OF FEBRUARY
TWO THOUSAND AND TWENTY TWO**

PRESENT

THE HONOURABLE SRI JUSTICE B.VIJAYSEN REDDY

WRIT PETITION NO: 3576 OF 2022

Between:

Krishnaveni Koleti, W/o. Mahesh Kumar Koleti, aged about 36 years,
Occupation. House Wife, Resident of Flat No.101, The Nest, Sri Lakshmi
Nagar, Near Marrichettu Junction, Manikonda, Puppalaguda, Hyderabad-
500089
...PETITIONER

AND

1. The State of Telangana, Rep.by.its Principal Secretary, Revenue (Stamps and Registration), Secretariat, Hyderabad.
2. The Commissioner and Inspector General of Registration and Stamps, Hyderabad, Telangana
3. The Sub-Registrar, Quthbullapur, Medchal-Malkajgiri District.
4. The Nizampet Municipality, Rep.by its Commissioner, Nizampet, Medchal Malkajgiri 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 any writ order or direction more particularly one in the nature of Writ of Mandamus declaring the inaction of the respondent No.3 in receiving, registering and releasing of the Sale Deed presented by the petitioner in respect of the Flat No.305, in Third Floor, in the residential apartment named as "SADHIKA PARADISE" with built up area of 1200 Sq.feet., (including common area) and car parking area of 80 Sq.feet., along with an Undivided share of land admeasuring 28 Sq.yards (out of 1000 Sq.yards) constructed on Plot Nos.5 and 6, in Survey Nos.13A, 13B and 14B, Situated at Bachupally Village, Nizampet Municipal Corporation, Bachupally Mandal, Medchal-Malkajgiri District, Telangana State, on the ground that the 2nd respondent issued Memo No.G2/257/2019dated 26/08/2020 issued by respondent No.2 and letter bearing No.45/TP/NMC/2019 dt.01/11/2019 issued by the respondent No.4 as illegal, arbitrary and

unconstitutional and consequently direct the respondent No.3 to receive, register and release the sale deed presented by the petitioners in respect of Flat No.305, in Third Floor, in the residential apartment named as "SADHIKA PARADISE" with built up area of 1200 Sq.feet., (including common area) and car parking area of 80 Sq.feet., along with an Undivided share of land admeasuring 28 Sq.yards (out of 1000 Sq.yards) constructed on Plot Nos.5 and 6, in Survey Nos.13A, 13B and 14B, Situated at Bachupally Village, Nizampet Municipal Corporation, Bachupally Mandal, Medchal-Malkajgiri District, Telangana State, without reference to Memo No.G2/257/2019 dated 26.08.2020 issued by the respondent No.2 and letter bearing No. 45/TP/NMC/2019 dt.01/11/2019 issued by the respondent No.4.

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 to receive, register and release the sale deeds presented by the petitioner in respect of the Flat No.305, in Third Floor, in the residential apartment named as "SADHIKA PARADISE" with built up area of 1200 Sq.feet., (including common area) and car parking area of 80 Sq.feet., along with an Undivided share of land admeasuring 28 Sq.yards (out of 1000 Sq.yards) constructed on Plot Nos.5 and 6, in Survey Nos.13A, 13B and 14B, Situated at Bachupally Village, Nizampet Municipal Corporation, Bachupally Mandal, Medchal-Malkajgiri District, Telangana State, without the reference of the Memo No.G2/257/2019 dated 26.08.2020, issued by the respondent No.2 and letter bearing No. 45/TP/NMC/2019 dt.01.11.2019 issued by the respondent No.4 pending disposal of the writ petition.

Counsel for the Petitioner: SRI. RAJAGOPALLAVAN TAYI

Counsel for the Respondent No's. 1 to 3: AGP FOR REVENUE /GP FOR STAMPS AND REGISTRATION

Counsel for the Respondent No.4: SRI N.PRAVEEN KUMAR (SC FOR MC),

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE B. VIJAYSEN REDDY

WRIT PETITION No.3576 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/- N. CHANDRA SEKHAR RAO
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Revenue (Stamps and Registration), State of Telangana, Secretariat, Hyderabad.
2. The Commissioner and Inspector General of Registration and Stamps, Hyderabad, Telangana
3. The Sub-Registrar, Quthbullapur, Medchal-Malkajgiri District.
4. The Commissioner, Nizampet Municipality, Nizampet, Medchal Malkajgiri

5. One CC to SRI. RAJAGOPALLAVAN TAYI Advocate [OPUC]
6. Two CCs to GP FOR REVENUE, High Court for the State of Telangana. [OUT]
7. Two CCs to GP FOR STAMPS AND REGISTRATION ,High Court for the State of Telangana. [OUT]
8. One CC to SRI N.PRAVEEN KUMAR (SC FOR MC), Advocate [OPUC]
9. Two CD Copies.
10. One Spare Copy.

GB



HIGH COURT

DATED:22/02/2022



ORDER

WP.No.3576 of 2022

DISPOSING OF THE WP
WITHOUT COSTS.

(13) VW
8/3/22