

**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: 4936 OF 2022

Between:

Niligonda Balaparshramulu, S/o Venkataiah, Age. 33 years, occupation.
Agriculture, R/o Phanigiri Village, Nagaram Mandal, Suryapet District

...PETITIONER

AND

1. The State of Telangana, Represented by Principal Secretary (Revenue),
Stamps and Registration Department, Secretariat, Hyderabad.
2. The Commissioner and Inspector General of Stamps and Registration, 5-3-
953, Nizam Shahi Road, 'Mojamjahi Market, Hyderabad
3. The Sub-Registrar, Suryapet, Suryapet 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 an Order, direction of Writ more particularly one in the nature of Writ of Mandamus declaring the acts of omission on the part of Respondent No.3 in receiving and registering the sale deed dt.15-01-2022 executed by the Petitioner selling away Ac.1-03V2Gts in Sy.No.592 AA/2 of Phanigiri Village, Nagaram Mandal, Suryapet District, though the land sold is not a plot within the meaning of Memo No.G2/257/2019 dt.26-8-2020 and modification Memo No.G2/257/2019 dt.29-12-2020 of Respondent No.2 as illegal, arbitrary and violative of Art.300-A of Constitution of India and consequently direct the Respondent No.3 to receive, register and release the said sale deed dt.15-01-2022 or any other sale deed to be presented by the Petitioner in respect of said land.

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 deed dt.15- 01-2022 or any other sale deed to be presented by the Petitioner selling away Ac.1-031/2Gts in Sy.No.592 AA/2 of Phanigiri Village, Nagaram Mandal, Suryapet District pending disposal of W.P.

Counsel for the Petitioner: SRI. VENUGOPALA RAO PASNOORU

Counsel for the Respondents: GP FOR STAMPS AND REGISTRATION

The Court made the following: ORDER.

THE HON'BLE SRI JUSTICE B. VIJAYSEN REDDY

WRIT PETITION No.4936 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.TIRUMALA DEVI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary (Revenue), Stamps and Registration Department, Secretariat, State of Telangana, Hyderabad.
2. The Commissioner and Inspector General of Stamps and Registration, 5-3-953, Nizam Shahi Road, Mojamjahi Market, Hyderabad
3. The Sub-Registrar, Suryapet, Suryapet District

4. One CC to SRI. VENUGOPALA RAO PASNOORU, Advocate [OPUC]
5. Two CCs to GP FOR STAMPS AND REGISTRATION, High Court for the State of Telangana at Hyderabad [OUT]
6. Two CD Copies
7. One Spare Copy

PB

BS

NA



HIGH COURT

DATED: 22/02/2022

ORDER

WP.No.4936 of 2022



**DISPOSING OF THE WP
WITHOUT COSTS**

9
29/3/22
Hv8