

**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: 5176 OF 2022

Between:

Rayappagari Stanley David, S/o. Rayappagari John Bhaskar, Aged about 50 years, Occ: Business, resident of H.No.1-1-385/9/1, Sri Lakshmi Chakra Residency, Gandhi Nagar, Secunderabad, Hyderabad 500080.

...PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary Revenue Department at Secretariat, Hyderabad, Telangana.
2. The Commissioner and Inspector, General of Stamps and Registration, Mozamjahi Market, Hyderabad, Telangana-500095.
3. The Sub Registrar, Quthbullapur, SRO office at Quthbullapur, 1st Floor, Suraram X Road, 1-303/1, Suraram Main Road, Quthbullapur Mandal, Suraram, Hyderabad, Telangana-500055.

...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 pass an Order or Direction more particularly in the nature of Writ of Mandamus. a. To declare the action of the 3rd Respondent who denied to receive, register and release the sale deeds of the Petitioner in respect of the Semi Finished Flat No. 403 in Fourth Floor, of KARTHIKEYA HEIGHTS with a Plinth area of 1030.0 Sft., (Including common area and one Car Parking, with an Undivided Share of land admeasuring 24.3 Sq. yds (our of 486.0 Sq Yards), on Plot bearing Nos. 7 and 8, in Survey Nos. 198, 200, 205, 212, 250, 249, 254, 252, 203, 204, 248, 249, 281, 251, 272 and 297, Boundaries for Plot, North.30 Wide Road, South. Plot No.6 and Neighbours Land, East. Plot No.9 West.33 Wide Road and Boundaries for Flat, North.Open to Sky, South. Open to Sky, East.Open to Sky, West.Corridor, Staircase and Lift, situated at Mallampet Village, Dundigal -

Gandimaisamma Mandal, Medchal-Malkajgir District, citing the Memo No.G2/257/2019, dated 26/08/2020 and 29/12/2020, issued by the 2nd Respondent as illegal, arbitrary and unconstitutional and against the principles of natural justice and against the Article 300A of the Constitution of India. b. Consequently direct the 3rd Respondent to receive, register and release the sale deeds of the Petitioner, in respect of the Semi Finished Flat No. 403 in Fourth Floor, of KARTHIKEYA HEIGHTS with a Plinth area of 1030.0 Sft., (Including common area and one Car Parking, with an Undivided Share of land admeasuring 24.3 Sq. yds (our of 486.0 Sq Yards), on Plot bearing Nos. 7 and 8, in Survey Nos. 198, 200, 205, 212, 250, 249, 254, 252, 203, 204, 248, 249, 281, 251, 272 and 297, Boundaries for Plot, North.30 Wide Road, South.Plot No.6 & Neighbours Land, East.PlotNo.9 West.33 Wide Road and Boundaries for Flat, North. Open to Sky, South. Open to Sky, East. Open to Sky, West. Corridor, Staircase and Lift, situated at Mallampet Village, Dundigal Gandimaisamma Mandal, Medchal-Malkajgir District, in the interest of 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 sale deeds of the Petitioner in respect of the Semi Finished Flat No. 403 in Fourth Floor, of KARTHIKEYA HEIGHTS with a Plinth area of 1030.0 Sft., (Including common area and one Car Parking, with an Undivided Share of land admeasuring 24.3 Sq. yds (our of 486.0 Sq Yards), on Plot bearing Nos. 7 and 8, in Survey Nos. 198, 200, 205, 212, 250, 249, 254, 252, 203, 204, 248, 249, 281, 251, 272 and 297, Boundaries for Plot, North.30 Wide Road, South.Plot No:6 and Neighbours Land, East. PlotNo.9 West.33 Wide Road and Boundaries for Flat, North. Open to Sky, South.Open to Sky, East. Open to Sky, West.Corridor, Staircase and Lift, situated at Mallampet Village, Dundigal- Gandimaisamma Mandal, Medchal-Malkajgir District.

Counsel for the Petitioner : SRI. SUDARSHAN MALUGARI

Counsel for the Respondents : AGP FOR REVENUE

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE B. VIJAYSEN REDDY

WRIT PETITION No.5176 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/-PADMANABHA REDDY
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary , Revenue Department at Secretariat, State of Telangana, Hyderabad, Telangana.
2. The Commissioner and Inspector, General of Stamps and Registration, Mozamjahi Market, Hyderabad, Telangana500095.

3. The Sub Registrar, Quthbullapur, SRO office at Quthbullapur, 1st Floor, Suraram X Road, 1-303/1, Suraram Main Road, Quthbullapur Mandal, Suraram, Hyderabad, Telangana-500055.
4. One CC to SRI. SUDARSHAN MALUGARI, 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

BS

HIGH COURT

DATED:22/02/2022

ORDER

WP.No.5176 of 2022



**DISPOSING OF THE WRIT PETITION
WITHOUT COSTS**

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[Signature]
25/02/2022