

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

WEDNESDAY, THE TWENTY THIRD DAY OF FEBRUARY
TWO THOUSAND AND TWENTY TWO

PRESENT

THE HONOURABLE SRI JUSTICE B.VIJAYSEN REDDY

WRIT PETITION NO: 7320 OF 2022

Between:

Shakera Begum, W/o Abdul Rasheed Khan. Aged about 57 years, Occ Housewife. R/o H.No. 9-5-99, Ramdev Guda, Hyderabad. Telangana. represented by her G.P.A Holders, (i)Naseer Ahmed S/o Nazeer Ahmed And (ii)Khajatahwer Ali Zafar S/o late Shaik Ali

...PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary, Revenue (Stamps and Registration) Department. Secretariat. Hyderabad, Telangana
2. The Inspector General, Stamps and Registration, Moazzam Jahi Market, Hyderabad. Telangana
3. The Sub-Registrar, Gandipet, Telangana
4. The Bandlaguda Jagir Municipal Corporation, Rep. by its Commissioner, Bandlaguda Jagir, Ranga Reddy 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 Writ, Order or direction more particularly one in the nature WRIT OF MANDAMUS declaring the action of the 3rd Respondent in not receiving, registering and releasing the document in favour of the prospective purchaser produced by the petitioner in respect of Flat No. 301 on Third Floor constructed on premises bearing Plot No.21, Sy. No. 71, situated at Bandlaguda, Gandipet Mandal, Ranga Reddy District, Telangana, basing on the memo issued by the 2nd Respondent vide No. G2/257/2019 dated 26.08.2020 and amended memo No. G2/257/2019 dated 29.12.2020 inspite of order dated 23.08.2021 passed by this Hon'ble Court in W.P. No. 9248 of 2021, as illegal, arbitrary and violation of Articles 14, 21 and 300-A of Constitution of India also against the principles of natural 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 deed in favour of the prospective purchaser, to be produced by the petitioner in respect of Flat No. 301

on Third Floor constructed on premises bearing Plot No.21, Sy. No. 71, situated at Bandlaguda, Gandipet Mandal, Ranga Reddy District, Telangana, pending disposal of the writ petition.

Counsel for the Petitioner :SRI. MOHD ISLAMUDDIN ANSARI

Counsel for the Respondents No.1 to 3: GP FOR STAMPS AND REGISTRATION (TG)

Counsel for the Respondents No.4 : SRI. N.P.PAVEEN KUMAR

The Court made the following: ORDER

HONOURABLE SRI JUSTICE B. VIJAYSEN REDDY

WRIT PETITION No.7320 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 Dt.18.02.2022 in W.P.No.328 of 2022 and batch as modified by the Order Dt.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 references 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.

The miscellaneous petitions pending, if any, shall stand closed.

There shall be no order as to costs.

SD/-PADMANABHA REDDY
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Revenue (Stamps and Registration) Department, State of Telangana, Secretariat, Hyderabad, Telangana
2. The Inspector General, Stamps and Registration, Moazzam Jahi Market, Hyderabad, Telangana
3. The Sub-Registrar, Gandipet, Telangana
4. The Commissioner, Bandlaguda Jagir Municipal Corporation, Bandlaguda Jagir, Ranga Reddy District.
5. One CC to SRI. MOHD ISLAMUDDIN ANSARI Advocate [OPUC]
6. Two CCs to GP FOR STAMPS AND REGISTRATION (TG) ,High Court for the State of Telangana. [OUT]
7. Two CD Copies
8. One Spare Copy

MMA

BS



HIGH COURT

DATED:23/02/2022



ORDER

WP.No.7320 of 2022

**DISPOSING OF THE WRIT PETITION
WITHOUT COSTS**

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Chaitanya
08/03/2022