

**HIGH COURT FOR THE STATE OF TELANGANA
(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: 7431 OF 2022

Between:

Gorre Orn Prakash, S/o. Agaiah, Aged about 48 Years, Occ. Business, R/o. 1-1
No. 3-9-231, Reddy Colony, Hanamakonda, Hanamakonda District

AND

...PETITIONER

1. The State of Telangana,, Rep. by its Principal Secretary Revenue (Stamps and Registration) Department, Secretariat Buildings, Hyderabad T.S.
2. The Commissioner and Inspector, General of Registration and Stamps, Telangana, Hyderabad.
3. The Sub Registrar,, Warangal (RO) Hanamkonda 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 appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents No.3 in not receiving, processing, registering and releasing the document presented by the petitioner in respect of open Plot Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11 to an extent of 2059.40 Square Yards or Ac. 0.26 guntas in Sy No. 316/A1/2, situated at Hanamakonda Revenue Village, Hanmakonda Mandal , lianamakonda District in view of the Memo No.02/257/2019 dated 26.8.2020 passed by the 2nd respondent as being illegal, arbitrary, violative of articles of 14, 21 and 300-A of Constitution of India, besides violative of principles of natural justice and contrary to the Registration Act, 1908 and also inviolation of the orders passed by the Division bench of this Hon'ble Court in Writ Petition No. 9248 of 2021 and to consequently direct the 3rd respondent to receive, process, register and release the sale deed in respect of open Plot Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11 to an extent of 2059.40 Square Yards or Ac. 0.26 guntas in Sy No. 316/A1/2, situated

at Hanamakonda Revenue Village, Hanmakonda Mandal, Hanamakonda District notwithstanding the Memo issued by the 2nd respondent

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, process, register and release the sale deed in respect of open Plot Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11 to an extent of 2059.40 Square Yards or Ac. 0.26 guntas in Sy No. 316/A1/2, situated at Hanamakonda Revenue Village, Hanmakonda Mandal, Hanamakonda District notwithstanding the Memo issued by the 2nd respondent, pending disposal of the Writ Petition

Counsel for the Petitioner: SRI. E V JAGATHSEN REDDY

Counsel for the Respondents: AGP FOR REVENUE / GP FOR STAMPS AND REGISTRATION (T/G)

The Court made the following: ORDER

HONOURABLE SRI JUSTICE B. VIJAYSEN REDDY

WRIT PETITION No. 7431 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 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 (Civi) 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 the eto, miscellaneous petitions, if any, pending in these writ petitions stand closed.

SD/- K. ONESIM
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary Revenue (Stamps and Registration) Department, State of Telangana,, Secretariat Buildings, Hyderabad T.S.
2. The Commissioner and Inspector, General of Registration and Stamps, Telangana, Hyderabad.
3. The Sub Registrar,, Warangal (RO) Hanamkonda District.
4. One CC to SRI. E V JAGATHSEN REDDY Advocate [OPUC]
5. Two CCs to BP FOR Revenue ,High Court for the State of Telangana. [OUT]
6. Two CD Copies
7. One Spare Copy

rsn

HIGH COURT

DATED:23/02/2022

ORDER

WP.No.7431 of 2022



DISPOSING OF THE WRIT PETITION

WITHOUT COSTS

(9)

VLV
16/3/22