

**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: 7691 OF 2022

Between:

1. Smt. Manchala Lalitha, W/o. Late Shankar, aged about 48 Years, Occ. Housewife.R/o. H. No. 6-2-54, Rampally Village, Keesara Mandal, Medchal Malkajgiri District.
2. Smt. Manchala Laxmi, D/o. Late Shankar, aged about 29 Years, Occ. Nil.R/o. H. No. 6-2-54, Rampally Village, Keesara Mandal, Medchal Malkajgiri District.
3. Sri. Manchala Rahul Krishna, S/o. Late Shankar, aged about 27 Years, Occ. Pvt. Employee.R/o. H. No. 6-2-54, Rampally Village, Keesara Mandal, Medchal Malkajgiri District.
4. Sri. Manchala Jagan Mohan, S/o. Late Shankar, aged about 24 Years, Occ. Pvt. Employee.R/o. H. No. 6-2-54, Rampally Village, Keesara Mandal, Medchal Malkajgiri District.
5. Sri. Manchala Nandeeshwar, S/o. Late Shankar, aged about 22 Years, Occ. Student.R/o. H. No. 6-2-54, Rampally Village, Keesara Mandal, Medchal Malkajgiri District.
6. Sri. Podugolla Bikshapathy, S/o. Late Late Podugolla Mallaiah, aged about 34 Years, Occ. Pvt. Employee, R/ o. H. No. 6-2-109, Rampally Village, Keesara Mandal, Medchal Malkajgiri District.
7. Sri. Misala Chinna Balaiah, S/o. Late Misala Pedda Narsaiah, aged about 62 Years, Occ. Agriculture.R/o. H. No. 6-2-6, SC Colony, Rampally Village, Keesara Mandal, Medchal Malkajgiri District.
8. Sri. Misala Swamy, S/o. Late Misala Pedda Narsaiah, aged about 60 Years, Occ. Agriculture. R/o. H. No. 6-2-6, SC Colony, Rampally Village, Keesara Mandal, Medchal Malkajgiri District.
9. Sri. Misala Yadagiri, S/o. Late Misala Pedda Narsaiah, aged about 57 Years, Occ. Agriculture.R/o. H. No. 6-2-6, SC Colony, Rampally Village, Keesara Mandal, Medchal Malkajgiri District.
10. Sri. Misala Mallesh, S/o. Late Misala Pedda Narsaiah, aged about 54 Years, Occ. Agriculture.R/o. H. No. 6-2-6, SC Colony, Rampally Village, Keesara Mandal, Medchal Malkajgiri District.
11. Sri. Meesala Balaiah, S/o. Late Muthaiah, aged about 75 Years, Occ. Agriculture.R/o. H. No. 6-2-7, Rampally Village, Keesara Mandal, Medchal Malkajgiri District.
12. Sri. Meesala Yadagiri, S/o. Meesala Balaiah, aged about 48 Years, Occ. Agriculture.R/o. H. No. 6-2-7, Rampally Village, Keesara Mandal, Medchal Malkajgiri District.

13. Smt. Meesala Laxmamma, S/o. Late Meesala Pochaiah, aged about 66 Years, Occ. Housewife. R/o. H. No. 6-2-7, Rampally Village, Keesara Mandal, Medchal Malkajgiri District.
14. Smt. Meesala Laxmamma, S/o. Late Meesala Pochaiah, aged about 66 Years, Occ. Housewife. R/o. H. No. 6-2-125, Rampally Village, Keesara Mandal, Medchal Malkajgiri District.
15. Sri. Meesala Bikshapathi, S/o. Late Meesala Pochaiah, aged about 52 Years, Occ. Agriculture. R/o. H. No. 6-2-125, Rampally Village, Keesara Mandal, Medchal Malkajgiri District.
16. Sri. Meesala Mallesh, S/o. Late Meesala Pochaiah, aged about 38 Years, Occ. Agriculture. R/o. H. No. 6-2-125, Rampally Village, Keesara Mandal, Medchal Malkajgiri District.
17. Sri. Meesala Ashok, S/o. Late Meesala Pochaiah, aged about 36 Years, Occ. Agriculture. R/o. H. No. 6-2-125, Rampally Village, Keesara Mandal, Medchal Malkajgiri District.
18. Sri. Meesala Srinivas, S/o. Late M. Pedda Yadaiah, aged about 45 Years, Occ. Agriculture. R/o. H. No. 6-2-37, Rampally Village, Keesara Mandal, Medchal Malkajgiri District.
19. Sri. Meesala Mahipal, S/o. Late Meesala Pochaiah, aged about 44 Years, Occ. Pvt. Agriculture. R/o. H. No. 6-2-37, Rampally Village, Keesara Mandal, Medchal Malkajgiri District.
20. Sri. Nallola Malender, S/o. Late Yadaiah, aged about 46 Years, Occ. Pvt. Agriculture. R/o. H. No. 6-1-37/1, Rampally Village, Keesara Mandal, Medchal Malkajgiri District.
21. Sri. Nallola Kumar, S/o. Late Yadaiah, aged about 45 Years, Occ. Pvt. Agriculture. R/o. H. No. 6-1-37/1, Rampally Village, Keesara Mandal, Medchal Malkajgiri District.
22. Sri. Nallola Masthanbabu, S/o. Late Pedda Balaiah, aged about 35 Years, Occ. Pvt. Agriculture. R/o. H. No. 6-2-103, Rampally Village, Keesara Mandal, Medchal Malkajgiri District.
23. Sri. Manchala Mysaiah, S/o. Late Pedda Mysaiah, aged about 61 Years, Occ. Retd. Employee. R/o. H. No. 6-2-53/1, Rampally Village, Keesara Mandal, Medchal Malkajgiri District.
24. Sri. Manchala Krishna, S/o. Late Pedda Mysaiah, aged about 53 Years, Occ. Agriculture. R/o. H. No. 6-2-53/1, Rampally Village, Keesara Mandal, Medchal Malkajgiri District.
25. Sri. Manchala Laxman, S/o. Late Pedda Mysaiah, aged about 51 Years, Occ. Pvt. Employee. R/o. H. No. 6-2-53/1, Rampally Village, Keesara Mandal, Medchal Malkajgiri District.
26. Sri. Manchala Narsing Rao, S/o. M. Chinna Mysaiah, aged about 40 Years, Occ. Pvt. Employee. R/o. H. No. 6-2-86, Rampally Village, Keesara Mandal, Medchal Malkajgiri District.
27. Sri. Manchala Kumar, S/o. M. Chinna Mysaiah, aged about 38 Years, Occ. Pvt. Employee. R/o. H. No. 6-2-86, Rampally Village, Keesara Mandal, Medchal Malkajgiri District.

...PETITIONER(S)

AND

1. The State of Telangana, Rep. by its Principal Secretary, Revenue Department (Stamps and Registration), BRK Bhavan, Secretariat, Hyderabad.
2. The Commissioner and Inspector General of Stamps and Registration, Mozamjahi Market Hyderabad, Telangana State.
3. The District Registrar, Medchal Malkajgiri dist. Medchal.
4. The Sub Registrar, Keesara, Keesara Mandal, 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 an appropriate writ order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents No.4 in not receiving processing registering and releasing the document, presented by the petitioners in respect of plot bearing No. 11 and 21 each admeasuring 200 sq.yads, 47 admeasuring 167 and 48 and 49 admeasuring 250 sq.yards, 85 and 86 admeasuring 230 sq. yards and plot bearing No. 119 admeasuring 300 sq. yards all the plots situated at Madhuranagar Colony, Rampally village, Nagaram Municipality , Keesara Mandal, Medchal Malkajgiri District. in view of the Memo No G2/257/2019 dated 26/8/2020 passed by the 2nd respondent as being illegal arbitrary violative of articles of 14 21 and 300A of Constitution of India besides violative of principles of natural justice and contrary to the Registration Act 1908 and also in violation of the orders passed by the Division bench of this Honorable Court in Writ Petition No 9248 of 2021 and to consequently direct the 4th respondent to receive process register and release the sale deed in respect of plot bearing No. 11 and 21 each admeasuring 200 sq.yads, 47 admeasuring 167 and 48 and 49 admeasuring 250 sq.yards, 85 and 86 admeasuring 230 sq. yards and plot bearing No. 119 admeasuring 300 sq. yards all the plots situated at Madhuranagar Colony, Rampally village, Nagaram Municipality , Keesara Mandal, Medchal Malkajgiri District. notwithstanding the Memo G2/257/2019 dated 26/8/2020.

I.A.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 4th respondent to receive, process, register and release the sale deed in respect of the plot bearing No. 11 and 21 each admeasuring 200 sq.yads, 47 admeasuring 167 and 48 and 49 admeasuring 250 sq.yards, 85 and 86 admeasuring 230 sq. yards and plot bearing No. 119 admeasuring 300 sq. yards all the plots situated at Madhuranagar Colony, Rampally village, Nagaram Municipality, Keesara Mandal, Medchal Malkajgiri District.notwithstanding the Memo issued by the 2nd respondent, pending disposal of the writ petition.

Counsel for the Petitioners : SRI.POLICE VENKAT REDDY

Counsel for the Respondents : AGP FOR REVENUE

The Court made the following ORDER

HONOURABLE SRI JUSTICE B. VIJAYSEN REDDY

WRIT PETITION No.7691 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 (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/-K.SAILESHI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1. The Principal Secretary, Revenue Department (Stamps and Registration), BRK Bhavan, Secretariat, State of Telangana, Hyderabad.
2. The Commissioner and Inspector General of Stamps and Registration, Mozamjahi Market Hyderabad, Telangana State.
3. The District Registrar, Medchal Malkajgiri District Medchal.
4. The Sub Registrar, Keesara, Keesara Mandal, Medchal-Malkajgiri District.
5. Two CCs to C P FOR REVENUE, High Court for the State of Telangana at Hyderabad. [OUT]
6. One CC to SRI.POLICE VENKAT REDDY, Advocate [OPUC]
7. Two CD Copies
8. One spare copy

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SB

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HIGH COURT

DATED:23/02/2022

ORDER

WP.No.7691 of 2022



DISPOSING OF THE W.P
WITHOUT COSTS.

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17/3/22
H/V