

**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: 8079 OF 2022

Between:

Mohammad Abdul Wasey, S/o. Mohammad Abdul Ahad, Aged about 38 years,
Occ.Business, R/o.1-4-32/33, Bhoi Galli, Bhainsa, Dist.Nirmal, Telangana.

...PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary, Revenue Department, Secretariat, Hyderabad, Telangana.
2. The Inspector General, Stamps and Registration Moazzam jahi Market, Hyderabad , Telangana.
3. The Sub-Registrar, Bhainsa, Nirmal District, Telangana.

...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 a Writ, Order or Direction more particularly one in the nature of Writ of Mandamus declaring the action of the Respondent No.3 in not receiving, registering and releasing the Documents in favour of the prospective purchasers produced by the petitioner based on the Memo issued by the Respondent No.2 vide No.G2/257/2019 dt.26/08/2020 and Amended Memo No.G2/257/2019 dt.29/12/2020 for the un-approved Plots bearing No's.23, 24, 25,26,27,28,29,30,31,32,33,34,35,36,37,38,40,41,42,43,44,45,46,47,48,49,50,51,52,53,54,55,56,57,58,59,60,61,62,63,64,65,66 and 67 in respect of Land in Sy.No.637/^A/2 (637/2/2) admeasuring Ac.1-3100 gts. situated at Limba (Khurd) village, Kuntala Mandal, Nirmal District inspite of this Honorable Court's Order dt.23/08/2021 passed in W.P.No.9248 of 2021 as illegal, arbitrary and in violation of Articles 14, 21 of the Constitution of India and provisions of Registration Act, 1908 and consequently direct the Respondent No.3 to receive, register and release the documents in favour of the prospective purchasers produced by the petitioner for the unapproved Plots bearing No's.23,24, 25,26,27,28,29,30,31,32,33,34,35,36,37,38,40,41,42,43,44,45,46,47,48,49,50,51,52,53,54,55,56,57,58,59,60,61,62,63,64,65,66 and 67 in respect of Land in Sy.No.637/^A/2 (637/2/2) admeasuring Ac.1-3100 gts. situated at Limba (Khurd) village, Kuntala Mandal, Nirmal 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 Respondent No.3 to receive, register and release the Documents in favour of the prospective purchasers produced by the petitioner for the unapproved Plots bearing No's.23,24,25,26,27,28,29,30,31,32,33,34,35,36,37,38,40,41,42,43,44,45,46,47, 48,49,50,51,52,53,54,55,56,57,58,59,60,61,62,63,64, 65,66 and 67 in respect of Land in Sy.No.637/^A/2 (637/Ϸ/2) admeasuring Ac.1-3100 gts. situated at Limba (Khurd) village, Kuntala Mandal, Nirmal District in the interest of justice.

Counsel for the Petitioner: SRI KORPELly MADHUSUDHAN REDDY

Counsel for the Respondents: GP FOR STAMPS AND REGISTRATION

The Court made the following: ORDER

HONOURABLE SRI JUSTICE B. VIJAYSEN REDDY

WRIT PETITION No.8079 OF 2022

ORDER:

1. 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 Dt.18.02.2022 as modified by the Order Dt.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.

As a sequel thereto, miscellaneous petitions, if any, pending in these Writ Petitions stand closed.

Sd/-B. SATYAVATHI
ASSISTANT REGISTRAR

GB

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, State of Telangana, Revenue Department, Secretariat, Hyderabad, Telangana.
2. The Inspector General, Stamps and Registration Moazzam jahi Market, Hyderabad , Telangana.
3. The Sub-Registrar, Bhainsa, Nirmal District, Telangana.
4. One CC to SRI KORPELLY MADHUSUDHAN REDDY Advocate [OPUC]

5. Two CCs to GP FOR STAMPS AND REGISTRATION, High Court for the State of Telangana. [OUT]

6. Two CD Copies

7. One spare copy

KS



HIGH COURT

DATED:23/02/2022

ORDER

WP.No.8079 of 2022



DISPOSED OF THE WRIT PETITION
WITHOUT COSTS.

(9)

NW
6/4/22