

**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: 8969 OF 2022

Between:

Volimineni Jaya Krishna, S/o.late V.Pratap Rao, aged about 49 years, Occ Advocate, R/o.Flat No.2105, Block-8, My Home Avatar Apts, Narsingi, Nanakramguda Road, Puppalaguda, K.V.Ranga Reddy District. Telangana State.

...PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary, Stamps and Registration Department Telangana Secretariat at Hyderabad.
2. The Commissioner and Inspector General of Registration and Stamps Mojamjahi Market, Hyderabad, Telangana State.
3. The District Registrar Registration and Stamps Department, Near Niloufer Hospital, Red Hills, Lakdikapul, Hyderabad.
4. The Sub-Registrar, Of Assurances and Marriage officer Maredpally, Bowenpally, Secunderabad

...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 in not releasing the Gift Settlement Deed in respect of entire first Floor of house bearing No.12-13-114, constructed on Plot No.22, in Sy.No.185/1, situated at Street No.3, Lane No.2, Tarnaka, Secunderabad, Telangana State vide endorsement P 20/2022 on the ground of Memo issued by the 2nd respondent vide Memo No.G2/257/2019 dated 26/08/2020 as illegal, arbitrary and 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 consequently direct the 4th respondent to release the Gift Settlement Deed of the petitioner pertaining to

entire first Floor of house bearing No.12-13-114, undivided share of land in an extent of 163.5 sq. yards constructed on Plot No.22, in Sy.No.185/1, situated at Street No.3, Lane No.2, Tarnaka, Secunderabad, Telangana State without reference to the memo issued by the 2nd respondent vide Memo No.G2/257/2019 dated 26/08/2020.

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 4th respondent to release the Gift Settlement Deed of the petitioner pertaining to entire first Floor of house bearing No.12-13-114, undivided share of land in an extent of 163.5 sq. yards constructed on Plot No.22, in Sy.No.185/1, situated at Street No.3, Lane No.2, Tarnaka, Secunderabad, Telangana State vide endorsement P 20/2022 without reference to the memo issued by the 2nd respondent vide Memo No.G2/257/2019 dated 26/08/2020, pending disposal of the Writ Petition in this Hon'ble Court and pass

Counsel for the Petitioner: SRI. KRISHNA KISHORE KOVVURI

Counsel for the Respondents: AGP FOR REVENUE

The Court made the following: ORDER

HONOURABLE SRI JUSTICE B. VIJAYSEN REDDY

WRIT PETITION No.8969 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.ONESIM
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Stamps and Registration Department, State of Telangana, Telangana Secretariat at Hyderabad.
2. The Commissioner and Inspector General of Registration and Stamps Mojamjahi Market, Hyderabad, Telangana State.
3. The District Registrar Registration and Stamps Department, Near Niloufer Hospital, Red Hills, Lakdikapul, Hyderabad.
4. The Sub-Registrar, Of Assurances and Marriage officer Maredpally, Bowenpally, Secunderabad
5. One CC to Sri Krishna Kishore Kovvuri, Advocate [OPUC]
6. Two CCs to GP for Revenue, High Court for the State of Telangana at Hyderabad. [OUT]
7. Two CD Copies
8. One Spare Copy

CHR

V. D.

HIGH COURT

DATED: 23/02/2022



ORDER

W.P.No.8969 of 2022

DISPOSING OF THE WRIT PETITION
WITHOUT COSTS

(10) VW
10/3/22