

**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: 9062 OF 2022

Between:

1. Chavva Nagaraju, S/o. C. Satyanarayana, aged about 50 years, Occ Business, R/o. H. No. 8-93, Poshammagadda, Gopalpet Village and Mandal, Wanaparthy District.
2. Katakam Srinivasulu Setty, S/o. K. Narasimhaiah Setty, aged about 40 years, Occ. Business, R/o. H. No. 3-72/2, Marrikunta, Srinivasapuram (V), Wanaparthy Mandal and District.
3. Kalakonda Srinivasulu, S/o. K. Satyanarayana, aged about 45 years, Occ Business, R/o. H. No. 37-71/1/A, Vallabh Nagar Street, Wanaparthy Town and District.
4. Uppala Bhaskar, S/o. Uppala Balaram Setty, aged about 45 years, Occ Business, R/o. H. No. 44-22, K.D.R. Nagar, Wanaparthy Town and District.

...PETITIONERS

AND

1. The State of Telangana, Rep. by its Principal Secretary, Revenue (Stamps and Registration) Department, Secretariat, Hyderabad.
2. The Commissioner and Inspector General of Registration and Stamps, State of Telangana Hyderabad.
3. The Sub Registrar, Wanaparthy, Wanaparthy 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 order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the 2nd respondent in issuing the impugned Memo No. G2/257/2019, dt.26/08/2020 directing the 3rd respondent not to accept the sale deeds in respect of the plots and houses which are part and parcel of unauthorized layout, as illegal, arbitrary, and contrary to the provisions of Registration Act, 1908 and also contrary to the order passed by the Honourable High Court in W.P.No.9248/2021, dt.23/08/2021 and consequently direct the 3rd respondent to receive, registrar and release sale deeds in respect of plot bearing Nos. 2/B, 3/B, 31/A, 31, 32/A, 32, 33, 33/B, 34, 34/B, 28, 28/A, 27/A, 35, 36, 35/A, 36/A, 38/A, 38, 37/A, 37, 37/B, 64, 65, 66, 67, 68, 69, 70, 71,

72, 73, 17, 18/B, 18 8/A, 16/A, 16/B, 9/A, 9, 60/A, 60, 61, 62, 58, 59, 44, 45, 46, 47, 48, 49, 50, 51, 41, 12/B and 55/1 in Sy. Nos. Sy. Nos. 329/E1, 330/AA1/1, 328/A3/1, 329/E2, 330/AA1/2, 328/A3/2, 329/E3, 330/AA1/3, 328/A3/3, 329/E4, 330.AA1/4, 328/A3/4, 329/E5, 330/AA1/5 and 328/A3/5, admeasuring Ac.4-00 guntas and land in Sy. Nos. 111/E1/1, 111/E1/2, 111/E1/3, 111/E1/4 and 111/E1/5, admeasuring Ac.2-00 guntas total admeasuring Ac.6-00 guntas, at Rajapet village, Wanaparthy Mandal and District, without reference to the Memo No. G2/257/2019, dated 26/08/2020 issued by the 2nd respondent in favour of the petitioners, as the petitioners complied with all other formalities for the purpose of registration and release the document.

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 issue interim order directing the 3rd respondent to receive, registrar and release the sale deeds sought to be presented by the petitioners in respect of plot bearing Nos. 2/B, 3 B, 31/A, 31, 32/A, 32, 33, 33/B, 34, 34/B, 28, 28/A, 27/A, 35, 36, 35/A, 36/A, 38/A, 38, 37/A, 37, 37/B, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 17, 18/B, 18, 18/A, 16/A, 16/B, 9/A, 9, 60/A, 60, 61, 62, 58, 59, 44, 45, 46, 47, 48, 49, 50, 51, 41 I 2/B and 55/1 in Sy. Nos. Sy. Nos. 329/E1, 330/AA1/1,, 328/A3/1, 329/E2, 330/AA1/2, 328/A3/2, 329/E3, 330/AA1/3, 328/A3/3, 329/E4, 330.AA1/4, 328/A3/4, 329/E5, 330/AA1/5 and 328/A3/5, admeasuring Ac.4-00 guntas and land in Sy. Nos. 111/E1/1, 111/E1/2, 111/E1/3, 111/E1/4 and 111/E1/5, admeasuring Ac.2-00 guntas total admeasuring Ac.6-00 guntas, at Rajapet village, Wanaparthy Mandal and District, without reference to the Memo No. G2/257/2019, dated 26.08.2020 issued by the 2nd respondent, pending disposal of main Writ Petition.

Counsel for the Petitioners: SRI M. DAMODAR REDDY
Counsel for the Respondents: AGP FOR REVENUE

The Court made the following: ORDER

HONOURABLE SRI JUSTICE B. VIJAYSEN REDDY

WRIT PETITION No.9062 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/- P.PADMANABHA REDDY
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Revenue (Stamps and Registration) Department, State of Telangana, Secretariat, Hyderabad.
2. The Commissioner and Inspector General of Registration and Stamps, State of Telangana Hyderabad.
3. The Sub Registrar, Wanaparthy, Wanaparthy District.
4. One CC to Sri M. Damodar Reddy Advocate [OPUC]
5. Two CCs to GP for Revenue, High Court for the State of Telangana at Hyderabad. [OUT]
6. Two CD Copies
7. One Spare Copy

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HIGH COURT

DATED:23/02/2022

ORDER

WP.No.9062 of 2022



DISPOSING OF THE WP
WITHOUT COSTS

9
19/3/22
HVS