

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
(Special Original Jurisdiction)

THURSDAY, THE THIRTY FIRST DAY OF MARCH
TWO THOUSAND AND TWENTY TWO

PRESENT

THE HONOURABLE SRI JUSTICE B.VIJAYSEN REDDY

WRIT PETITION NO: 14372 OF 2022

Between:

1. Sri Gandhi Srinivas, S/o Gandhi Yadesiah, Aged about 55 years, Occ Business, R/o H.No.2-20/1, Ahmedguda Village, Keesara Mandal, Medchal-Malkajgiri District.
2. Sri Anirudh Goud, S/o Kotha Srinivas Goud, Aged about 24 years, Occ Business, R/o H.No.2-42, Ahmedguda Village, Keesara Mandal, Medchal-Malkajgiri District.

...PETITIONER(S)

AND

1. The State of Telangana, Rep. by its Principal Secretary, Revenue (Registration and Stamps) Department, Secretariat Building, Hyderabad.
2. The Commissioner and Inspector General of Registration and Stamps, Telangana State at Hyderabad.
3. The Sub-Registrar, Keesara, 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 a Writ, Order or Direction, more particularly, one in the nature of Writ of Mandamus, by declaring the action of the 3rd respondent in not receiving and to register and release the sale deed presented by the petitioners in respect of the Plot Nos.98 East Part, 99 and 101, thus the total admeasuring 721 Sq.Yards., or 602.75 Sq.Mtrs., in Survey Nos.54, 55, 58, 59, 60, 61 and 62, situated at Sreenivasa Nagar Colony Ahmedguda Village, under Dammalguda Municipality, Keesara Mandal, Medchal-Malkajgiri District, Telangana State, on the basis of Memo No.G2/257/2019, Issued by the 2nd respondent as illegal, arbitrary, unlawful, without jurisdiction and contrary to the provisions of the Registration Act, 1908 and in violation of Article 14 of Constitution of Indian and consequently to

direct the 3rd respondent to receive, register and release the sale deed presented by the petitioners in respect of above said property, notwithstanding the Memo No.G2/257/2019, 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, register and release the sale deed presented by the petitioners in respect of the Plot Nos.98 East Part, 99 and 101, thus the total admeasuring 721 Sq.Yards., or 602.75 Sq.Mtrs., in Survey Nos.54, 55, 58, 59, 60, 61 and 62, situated at Sreenivasa Nagar Colony Ahmedguda Village, under Dammaiguda Municipality, Keesara Mandal, Medchal-Malkajgiri District, Telangana State, without reference to Memo No.G2/257/2019, issued by the 2nd respondent, pending disposal of the above writ petition.

Counsel for the Petitioner: SRI. METTU SHANKAR

Counsel for the Respondents: AGP FOR REVENUE

The Court made the following: ORDER

HONOURABLE SRI JUSTICE B. VIJAYSEN REDDY

WRIT PETITION No.14372 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 reference 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 this writ petition stand closed.

SDI-M.SANTHI VARDHANI
JOINT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Revenue (Registration and Stamps) Department, State of Telangana , Secretariat Building, Hyderabad.
2. The Commissioner and Inspector General of Registration and Stamps, Telangana State at Hyderabad.
3. The Sub-Registrar, Keesara, Medchal-Malkajgiri District.
4. One CC to SRI. METTU SHANKAR Advocate [OPUC]
5. Two CCs to GP FOR REVENUE ,High Court for the State of Telangana, [OUT]
6. Two CD Copies
7. One Spare Copy

MMA

HIGH COURT

DATED:31/03/2022



ORDER

WP.No.14372 of 2022

DISPOSING OF THE WRIT PETITION
WITHOUT COSTS

9
28 APR 2022