

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: 14755 OF 2022

Between:

Edla Ramesh, S/o Lingamaiah, Aged about 42 years, Occupation: Business, R/o H.No. 9-30, Beeramguda, Ameenpur Village and Mandal, Sangareddy District, Pin 502302, T.S.

AND

...PETITIONER

1. The State of Telangana, Represented by The Principal Secretary, Department of Revenue, (Stamp and Registration), Telangana State, Secretariat, Hyderabad, T.S.
2. The Commissioner and Inspector General of Registration and Stamp, Mozamjahi Market Road, Hyderabad 500001, T.S.
3. The Sub-Registrar Office, Sangareddy, Door No 4-8, 38/A and B, Manjeera Nagar, Sangareddy 502001, T.S.

...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 particularly in the nature of the writ of mandamus, declaring the action of the Respondent No 3, in not entertaining registration of the Petitioner's Sale Deed Transactions, on the basis of Memo Nos G/2/257/2019, dated 26-08-2020 and 27-12-2020, issued by the Respondent No 2, as illegal, arbitrary and in violation of orders in W.P. No. 9248 of 2021 dated 23-08-2021, and to consequently direct the Respondent No 3 to receive, register and release the Sale Deed pertaining to Open land in Plot No 2A (200 sq yds), 3 (150 sq yds), 17C (150 sq yds), 18 (100 sq yds), 18B (178 sq yds) 18C (100 sq yds), 42A and 42B (150 sq yds each), 42C (100 sq yds), 82 (150 sq yds), 82A (100 sq yds), 83C, 83D and 83E (167 sq yds each) 156 (150 sq yds), 158 (150 sq yds), 225A (100 sq yds), 229 (150 sq yds), 230 (164 sq yds), 231 and 231A (110 sq yds each), in Survey Nos 196/A, Patelguda Village and Gram Panchayat, Ameenpur Mandal, Sangareddy District, T.S. notwithstanding the memo issued by the Respondent No 2.

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 sale deeds of the petitioner in respect to register and release the Sale Deeds pertaining to Sale Deeds pertaining to Open land in for Open land in Plot No 2A (200 sq yds), 3 (150 sq yds), 17C (150 sq yds), 18 (100 sq yds), 18B (178 sq yds) 18C (100 sq yds), 42A & 4/13 (150 sq yds each), 42C (100 sq yds), 82 (150 sq yds), 82A (100 sq yds), 83C, 83D & 83E (167 sq yds each) 156 (150 sq yds), 158 (150 sq yds), 225A (100 sq yds), 229 (150 sq yds), 230 (164 sq yds), 231 & 231A (110 sq yds each), in Survey Nos 196/A, Patelguda Village and Gram Panchayat, Ameenpur Mandal, Sangareddy District, T.S. without reference to Memo No G/2/257/2019, dated 26-08-2020 and 27-12-2020, issued by the Respondent No 2, pending disposal of this Writ Petition.

Counsel for the Petitioner:SRI. SAROSH SAM BASTAWALA

Counsel for the Respondents: AGP FOR STAMPS AND REGISTRATION

The Court made the following:

HONOURABLE SRI JUSTICE B. VIJAYSEN REDDY

WRIT PETITION No.14755 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.

SD/-V.SUDHA
ASSISTANT REGISTRAR

//TRUE COPY//



SECTION OFFICER

To,

1. The Principal Secretary, Department of Revenue, (Stamp and Registration), State of Telangana, Tolangana State, Secretariat, Hyderabad, T.S.
2. The Commissioner and Inspector General of Registration and Stamp, Mozamjahi Market Road, Hyderabad 500001, T.S.
3. The Sub-Registrar Office, Sangareddy, Door No 4-8, 38/A and B, Manjeera Nagar, Sangareddy 502001, T.S.

4. One CC to Sri. Sarosh Sam Bastawala, Advocate [OPUC]
5. Two CCs to GP for Stamps & Registration, High Court for the State of Telangana. [OUT]
6. Two CD Copies.

PM
SW

HIGH COURT

DATED:31/03/2022

ORDER

WP.No.14755 of 2022



**Disposing of the WP
Without costs.**

(65)
mee
11/4/2022