

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA

PRADESH
(Special Original Jurisdiction)

TUESDAY, THE THIRTIETH DAY OF JUNE
TWO THOUSAND AND FIFTEEN

PRESENT

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

WRIT PETITION No.19334 of 2015

BETWEEN

Mandala Ramulamma and others

... PETITIONERS

AND

The District Collector, Ranga Reddy District, Lakdikapul, Hyderabad and
others

...RESPONDENTS

The Court made the following:

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ORDER:

Heard.

2. Petitioner seeks registration of an agreement of sale dated 08.01.2015. This writ petition is filed questioning the market value adopted by the Registrar on the basis of G.O.Ms.No.157, Revenue (Registration-I) Department, dated 30-03-2013.

3. Learned counsel for the petitioner states that the said G.O. was struck down by this Court in P.I.L.No.274 of 2013 dated 23.09.2013 and, as such,

the market value fixed under the said G.O. cannot be adopted. Learned counsel for the petitioner also placed reliance upon the decision of this Court in W.P.No.30463 of 2013, dated 28.10.2013, wherein this Court disposed of the said writ petition by observing as follows :-

“The writ petition is disposed of with a direction to the Sub-Registrar, Rajendranagar Registration Office, Rajendranagar, Ranga Reddy District (2nd respondent) to receive and register the sale deed dated 18.10.2013 pertaining to the property bearing Municipal No.6-4-12/1 (corresponding to Old No.4-108/26), Shivarampally, Katedan Village, Rajendranagar Mandal, Ranga Reddy District, without insisting on payment of stamp duty and registration charges as revised in G.O.Ms.No.157, dt.30.03.2013. The 2nd respondent shall determine the stamp duty and registration charges payable on the property as per the valuation fixed prior to orders in G.O.Ms.No.157, dated 30.03.2013.”

4. Heard learned counsel for the petitioner and learned Government Pleader for Revenue.

5 It is stated by the learned Government Pleader for Revenue that the S.L.P. is pending before the Hon'ble Supreme Court against the judgment of this Court in PIL, referred to above, and, as such, the validity of G.O.Ms.No.157 is *sub judice*. However, since no stay is granted by the Hon'ble Supreme Court, the registering authority is required to adopt the valuation as was existing prior to issuance of G.O.Ms.No.157, dated 30.03.2013.

6. Writ petition is, therefore, disposed of directing the 2nd respondent to process petitioner's document for registration by adopting the valuation as existed prior to issuance of G.O.Ms.No.157, dated 30.03.2013. It is made clear that in the event of validity of the said G.O. being upheld, petitioner will be liable to pay deficit stamp duty and registration fee on the revised market value and to that extent, there shall be a charge on the property covered by document directed to be registered by this order.

As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

June 30, 2015
LMV

VILAS V. AFZULPURKAR, J