

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.22625 OF 2019

Dated:17.10.2019

Between:

Sahitya Housing Private Limited, rep., by
Mr. T. Veeraiah Chowdary, S/o. Basavapunnaiah,
age 55 years, Occ: Managing Director, having its
Regd. Office at 8-3-678/42/C/6, Navodaya
Colony, Yellareddyguda, Hyderabad .. Petitioner

And

The State of Telangana, rep., by its
Principal Secretary, Stamps and Registration
Department, Secretariat, Hyderabad and others .. Respondents



This Court made the following:

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ORDER:

Heard learned counsel for the petitioner and learned Government Pleader for Stamps and Registration.

2. The deponent claims that lands admeasuring Acs.19.20 guntas in different survey numbers as mentioned in paragraph No.3 of the affidavit filed in support of the Writ Petition situated at Mekaguda Village, Nandigama Mandal, Ranga Reddy District, belong to Sahitya Housing Private Limited. O.S.No.55 of 2019 is filed in the Court of the Senior Civil Judge, Shadnagar, praying to grant perpetual injunction against the defendants therein from interfering with the possession and enjoyment of the plaintiff over the suit schedule property and mandatory injunction against the defendants from removing the plaintiff's name board and identity marks on the suit schedule property. No injunction order was passed in the interlocutory application filed by the petitioner. While that being so, petitioner made a representation dated 24.09.2019 to the Sub-Registrar, Shadnagar, Ranga Reddy District, the 4th respondent, requesting not to entertain any deed of conveyance with reference to lands referred to above. Alleging inaction on the said representation, this Writ Petition is filed.

3. In other words, petitioner seeks an order restraining the Registering Authorities from receiving the deed of conveyance that may be presented in respect of the subject properties. Such restraint is made only on the ground that Sahitya Housing Private

Limited, petitioner herein, filed O.S.No.55 of 2019 and the same is pending consideration.

4. Ordinarily, the Sub-Registrar cannot be directed not to receive the document presented before him. Only after receiving the document presented before him it will be processed. However, the Sub-Registrar can be informed of any restraint order passed by the competent Court and if such order is passed by the competent Court, the Sub-Registrar cannot entertain the deed of conveyance inter parties.

5. Admittedly, no such order is passed so far and the pending suit is not a bar for receiving the document for registration and therefore the Sub-Registrar cannot be directed not to receive the document presented by the petitioner for registration.

6. Leaving it open to the petitioner to work out its remedies in the pending suit, the Writ Petition is dismissed. There shall be no order as to costs. Pending Miscellaneous Petitions, if any, shall stand closed.

P. NAVEEN RAO, J

Date:17.10.2019

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