

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.25737 OF 2019

Date:09.12.2019

Between:

Smt. B. V. Krishnaveni, W/o. B. Venkat Rao,
Aged 62 years, Occ: Household,
R/o.Plot No.58, Railway Officers Colony,
Picket, Secunderabad .. Petitioner

And

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



The Court made the following:

THE HON'BLE SRI JUSTICE P.NAVEEN RAO**WRIT PETITION No.25737 OF 2019****ORDER:**

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

2. Petitioner claims to be the owner of Plot No.90 in Survey Nos.236/1 Part and 237 admeasuring 200 sq. yards situated at Puppalaguda Village, Rajendranagar Mandal, Ranga Reddy District, having acquired the same by way of registered sale deed dated 30.01.1993. Petitioner applied for regularization of her plot and the Hyderabad Metropolitan Development Authority by order dated 23.12.2016 granted regularization of the subject plot; thereafter petitioner applied for building permission and the same was granted by the Gram Panchayat vide proceedings dated 11.06.2018. That being so, the petitioner now intends to dispose of the subject property and when she approached the registering authority, but the registering authority refused to register her plot on the ground that Survey No.237 is included in the prohibited list of properties.

3. Learned counsel for the petitioner submits that once regularization is granted, the subject property cannot be included in the list of prohibited of properties and moreover Survey No.237 is a private patta land.

4. The market value certificate issued by the registration office would disclose that as on 13.11.2019, the market value of the property is shown as Rs.20,00,000/-. However, it is also recorded

in the said certificate that Survey No.237 is included in the list of prohibited properties. The fact remains that only when the document is presented for registration, the registering authority comes into the picture. If the property is included in the list of prohibited properties communicated to the registering authority by the competent authority, the registering authority would have informed the same. As the document is yet to be presented for registration, that stage has not reached.

5. Granting liberty to the petitioner to present the subject document for registration by paying stamp duty as per the market value, the Writ Petition is disposed of. It is needless to mention that the registering authority shall receive the document and process the same for registration, as and when the same is presented by the petitioner, in accordance with the Registration Act and the Rules made thereunder and if the registering authority is not in agreement for registration, he shall assign reasons in support of the decision and communicate the same to the petitioner. The entire exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order. Miscellaneous petitions, if any, shall stand closed.

Date:09.12.2019

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P.NAVEEN RAO, J