

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

MONDAY, THE TWENTY SECOND DAY OF JUNE
TWO THOUSAND AND TWENTY

PRESENT

THE HON'BLE SRI JUSTICE A.ABHISHEK REDDY

WRIT PETITION NO: 8735 OF 2020

Between:

Ogili Laxmi Narasimha Reddy, s/o Ogili Krishna Reddy, Aged about 35 years, Occ. Business, R/o Plot No. 8, Dhanalakshmi Colony Mahendra Hills, East Marredpally, Secunderabad-26

...PETITIONER

AND

1. State of Telangana represented by Secretary, Revenue Department, Secretariat, Hyderabad
2. District Registrar, Ranga Reddy District, Hyderabad
3. Joint Sub Registrar, Registering Officer (OB) Ranga Reddy District, Hyderabad
4. District Collector, Ranga Reddy District, Hyderabad

...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 declaring the order of the 3rd respondent vide letter of intimation of refusal bearing no.17/2020 dt.25-1-2020 refusing to register the gift settlement deed vide P.No. 21/2020 for plot bearing No.147/A (Northern part) admeasuring an extent of 400 square yards equivalent to 334.4 Square Meters in Sy. No.5/3 of Raidurg, Panmaktha village, Serilingampally Mandal under GHMC Serilingampally circle, Ranga Reddy District basing on the alleged notification dt.26-09-2013 of 4th respondent, which is already set aside by the Hon'ble court for being illegal, arbitrary, violative of provisions of Registration Act 1908 as discriminatory and unconstitutional and consequently direct the 3rd respondent to register the document of petitioner without reference to the proceedings of District Collector Dt. 26-09-2013 and release the same.

IA NO: 1 OF 2020

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 and register gift settlement deed vide P. No. 21/2020 for plot bearing No. 1471A (Northern part) admeasuring an extent of 400 square yards equivalent to 334.4 Square Meters in Sy. No. 5/3 of Raidurg, Panmaktha village, Serilingampally Mandal under GHMC Serilingampally Circle. Ranga Reddy District without reference to the proceedings of District Collector (4th respondent) DT. 26/9/2013 and release the same pending disposal of the writ petition.

**Counsel for the Petitioner: SRI D. DEVENDER RAO
Counsel for the Respondents: GP FOR REVENUE**

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE A.ABHISHEK REDDY

WRIT PETITION No.8735 of 2020

ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue for respondents. With their consent, the Writ Petition is disposed of at the stage of admission.

The main grievance of the petitioner is that the official respondent No.3 is not registering the document presented by the petitioner in respect of plot bearing No.147/A (Northern part) admeasuring an extent of 400 square yards equivalent to 334.4 square meters in survey No.5/3 of Raidurg Panmaktha village, Serilingampally Mandal under GHMC Serilingampally Circle, Ranga Reddy District.

The learned counsel for the petitioner has submitted that on earlier occasions, this Court in W.P.No.5598 of 2020, dated 12.03.2020, W.P.No.1436 of 2020, dated 04.01.2020, and W.P.No.1894 of 2018, dated 24.01.2018, has passed orders, directing the registration of the documents pending before the authorities; the subject land in the present writ petition also pertains to the very same survey number.

The above position is not disputed by the learned Government Pleader and he fairly conceded for passing similar order in this writ petition.

In view of the above submissions, the Writ Petition is disposed of directing the Registering Authority to receive and process the subject document without reference to the District Gazette Notification, dated 26.09.2013, subject to the petitioner complying with the provisions of the Indian Registration Act, 1908, and Indian Stamps Act, 1899. It will be open to the Registering

Authority to refuse/receive the document presented before him, if he has any other objection, by duly assigning reasons in support of such decision and communicate the said decision to the petitioner. It is made clear that mere registration of document does not confer title to the property. It is also made clear that this order does not preclude the Government/District Collector to take appropriate steps as warranted by law and to assert its title. It is made clear that the order of the Special Court in I.A.No.353 of 2004 in L.G.C.No.13 of 2004 shall be binding on the petitioner, his vendor(s), and the transaction in question shall be subject to the final result in the L.G.C. and the petitioner shall not claim any equities.

The miscellaneous petitions pending, if any, shall stand closed. There shall be no order as to costs.

//TRUE COPY//

SD/-M.MANJULA
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. The Secretary, State of Telangana, Revenue Department, Secretariat, Hyderabad
2. District Registrar, Ranga Reddy District, Hyderabad
3. Joint Sub Registrar, Registering Officer (OB) Ranga Reddy District, Hyderabad
4. District Collector, Ranga Reddy District, Hyderabad
5. One CC to Sri D. Devender Rao, Advocate [OPUC]
6. Two CCs to GP For Revenue, High Court for the State of Telangana. [OUT]
7. Two CD Copies.

MP



HIGH COURT

DATED:22/06/2020



ORDER

WP.No.8735 of 2020

DISPOSING OF THE WRIT PETITION
WITHOUT COSTS

ARM
3/7/2020 (9)