

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

TUESDAY, THE TWENTY FIRST DAY OF JULY
TWO THOUSAND AND TWENTY

PRESENT

THE HON'BLE SRI JUSTICE A.ABHISHEK REDDY

WRIT PETITION NO: 10828 OF 2020

Between:

1. Syed Taiseen, D/o Sayed Taher Aged about 30 years, Occ. House Wife
R/o H.No. 305, Upperpalli, B.N.Reddy Colony, Rajendranagar, R.R.
District.
2. Baby Simra Amreen, D/o Mohd. Ferozuddin Aged about 9 year, (Minor)
Occ. Student
3. Baby Shifa Amreen, D/o Mohd. Ferozuddin Aged about 7 years (Minor)
Occ. Student Petitioners 2 and 3 are being minors rep.by their Mother
Syed Taiseen (1st petitioner) herein R/o H.No. 305, Upperpalli, B.N.Reddy
Colony, Rajendranagar, R.R. District.

...PETITIONERS

AND

1. The State of Telangna, Rep.by its Principal Secretary, Revenue
Department (Stamps and Registrations) TS Secretariat Buildings
Hyderabad.
2. The Protection Officer, (DVC-2005) and Project Director District Women
and Child Development Agency, Collectorate Hyderabad.
3. The District Registrar, Registration and Stamps Karimnagar district,
Karimnagar.
4. The Sub-Registrar, Registration and Stamps Department, Karimnagar
Post and Mandal Karimnagar District.
5. The Station House Officer, II-Town Police Station, Karimnagar,
Karimnagar District.
6. Mohd. Ferozuddin, S/o Basheeruddin
7. Md. Basheeruddin, S/O. Mohd. Shabuddin,
8. Azmeeri Pasha, W/o Basheeruddin. Respondents 6 to 8
R/o H.No.7-3-273, Kashmirigadda, Karimnagar Post and Mandal
Karimnagar district

...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 an appropriate writ, order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the action of the Respondents 3 and 4 in not considering the representation dated 9-7-2020 of the petitioners and considering the sale deed for registration in respect of House Bearing No. 7-3-273, situated at Kashmirigadda, Karimnagar Post and Mandal, Karimnagar district presented, by the third party prospective purchaser is illegal, arbitrary contrary to law.

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 respondents 3 and 4 not to register the sale deed presented by the third party prospective purchaser in respect of House Bearing No. 7-3- 273, situated at Kashmirigadda, Karimnagar Post and Mandal, Karimnagar district pending disposal of the Writ petition.

Counsel for the Petitioner : SRI MOHD. GULAM RASOOL

Counsel for the Respondent Nos.1, 3, 4: GP FOR REVENUE

Counsel for the Respondent No.2: GP FOR SOCIAL WELFARE

Counsel for the Respondent No.5: GP FOR HOME

Counsel for the Respondent Nos.6 to 8:-----

The Court at the Stage of admission made the following: ORDER

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THE HON'BLE SRI JUSTICE A.ABHISHEK REDDY

WRIT PETITION No.10828 of 2020

ORDER:

Heard the learned counsel for the petitioners and the learned Government Pleader for Revenue for respondent Nos.1 to 4. With their consent, the Writ Petition is disposed of at the stage of admission.

This writ petition is filed seeking a direction not to register the sale deed in respect of the house bearing No.7-3-273, situated at Kashmirigadda, Karimnagar Post and Mandal, Karimnagar District, presented by the third party/prospective purchaser, as illegal and arbitrary.

It is submitted by the learned counsel for the petitioner that the petitioner No.1 is the wife of the 6th respondent and that due to marital disputes, she was constrained to file DVC No.32 of 2016 in the Criminal Court and the IV Metropolitan Magistrate, Nampally, had allowed the DVC by order dated 14.10.2016. That the maintenance amount and other benefits granted in the DVC and MC No.37 of 2016 dated 23.10.2017 were never paid by the 6th respondent till date and the total amount due as on date comes to Rs.54,00,000/-. That the 6th respondent, in order to deprive her the benefit of the orders passed by the IV Metropolitan Magistrate in DVC No.32 of 2016 and the JHCBBC-cum-Additional Family Court in M.C.No.37 of 2016 respectively, is trying to alienate the property and if the 6th respondent succeeds in doing so, she will be left without any remedy to recover the amount due and to that effect she has given the representation to respondent Nos.3 and 4 dated 09.07.2020.

The learned Government Pleader, on instructions, states that the respondent Nos.3 and 4 will pass necessary orders on the representation submitted by the petitioner No.1 and requests to grant some time for the same.

In view of the above submission, the Writ Petition is disposed of directing the respondent Nos.3 and 4 to take into consideration the representation submitted by the petitioner No.1 on 09.07.2020 before entertaining any document submitted by any third party in respect of the house bearing No.7-3-273, situated at Kashmirigadda, Karimnagar Post and Mandal, Karimnagar District, and pass orders accordingly. A copy of the order passed by the respondent Nos.3 and 4 shall be communicated to the parties.

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

Sd/- K. AMMAJI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Revenue Department (Stamps and Registrations), State of Telangna, TS Secretariat Buildings Hyderabad.
2. The Protection Officer, (DVC-2005) and Project Director District Women and Child Development Agency, Collectorate Hyderabad.
3. The District Registrar, Registration and Stamps Karimnagar district, Karimnagar.
4. The Sub-Registrar, Registration and Stamps Department, Karimnagar Post and Mandal Karimnagar District.
5. The Station House Officer, II-Town Police Station, Karimnagar, Karimnagar District.
6. One CC to Sri Mohd. Gulam Rasool, Advocate [OPUC]
7. Two CCs to GP for Revenue, High Court for the State of Telangana at Hyderabad. [OUT]
8. Two CCs to GP for Social Welfare. High Court for the State of Telangana at Hyderabad (OUT)
9. Two CCs to GP for Home, High Court for the State of Telangana at Hyderabad (OUT)
10. Two CD Copies

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HIGH COURT

DATED:21/07/2020

ORDER

WP.No.10828 of 2020



DISPOSING OF THE WP
AT THE STAGE OF ADMISSION,
WITHOUT COSTS

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29/07/2020