

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

THURSDAY, THE TWENTY SECOND DAY OF APRIL
TWO THOUSAND AND TWENTY ONE

PRESENT

THE HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION NO: 7446 OF 2021

Between:

Mr. Mohammed Munceruddin, S/o Late Ahmed Moizuddin Age about, 58 years,
Occ. Business, R/o 20-4-20/7/1A, Punch Mohalla, Khilwath, Behind Shah Mazil
Function Hall, Khilwath, Hyderabad.

...PETITIONER

AND

1. The State of Telangana, rep through its Principal Secretary, Stamps and Registration Department, Having Office at T.S. Secretariat, Hyderabad.
2. The District Registrar, Hyderabad District.
3. The Joint Sub-Registrar, S.R. Nagar Registrar, SRO Code 1611, Panjagutta, 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 any appropriate Writ, Order or direction preferably Writ of Mandamus, declaring the action of the Official Respondents particularly in not receiving, processing and Registering the Sale Deed dated 09-02-2021 pertaining to property bearing Municipal No. 7-1-211/33, 7-1-211/33/1, 7-1-211/33/2, 7-1-211/33/3, consisting of Ground, First, Second and Third Floors, admeasuring 103.12 Sq. yards, Situated at Ameerpet, Hyderabad, as being illegal, contrary to the Rules and Regulations of the Registration Act 1908 and also Violative of Articles 14, 21 and 300-A of the Constitution of India and consequently direct the Official respondents, to Register the Sale Deed dated 09th february 2021 pertaining to property bearing Municipal No. 7-1-211/33, 7-1-211/33/1, 7-1-211/33/2, 7-1-211/33/3, consisting of Ground, First, Second and Third Floors, admeasuring 103.12 Sq. yards, Situated at Ameerpet, Hyderabad.

IA NO: 1 OF 2021

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 Official respondents, to Register the Sale Deed dated 09th February 2021 pertaining to property bearing Municipal No 7-1-211/33, 7-1-211/33/1, 7-1-211/33/2, 7-1-211/33/3, consisting of Ground, First, Second & Third Floors, admeasuring 103.12 Sq. yards, Situated at Ameerpet, Hyderabad and pass such other order or orders may deem fit and proper in the circumstances of the case., pending disposal of the above writ petition.

Counsel for the Petitioner: M/S. MUSTAFA BASITH

Counsel for the Respondents: AGP FOR REVENUE

The Court made the following:

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.7446 OF 2021

ORDER:

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

2. Petitioner claims that he has purchased property bearing Municipal Nos.7-1-211/33, 7-1-211/33/1, 7-1-211/33/2 and 7-1-211/33/3 consisting of Ground, First, Second and Third Floors admeasuring 103.12 sq. yards of Ameerpet, Hyderabad, under a registered sale deed, dated 20.02.2017. Petitioner intends to dispose of the said property and when he approached the Joint Sub-Registrar, S.R. Nagar Registrar, SRO, Panjagutta, Hyderabad, respondent No.3, the Joint Sub-Registrar informed that there is a stay order granted by this Court and therefore the said property cannot be registered. However, no particulars are placed on record to show that there is a stay order granted and whether such stay is still subsisting.

3. In fact, there is no material to show that petitioner presented the document for registration and the Joint Sub-Registrar refused to receive and register the document presented by him. Therefore, it cannot be said that the respondent authorities are negligent in processing the document presented by the petitioner.

4. The writ petition is accordingly disposed of granting liberty to the petitioner to present the deed of conveyance by paying the requisite stamp duty and registration charges on the subject property. Further, if the document is presented by the petitioner by complying with all the requirements, the same shall be received

and processed strictly in accordance with the Indian Registration Act, 1908 and the Indian Stamp Act, 1899. If the registering authority is of the opinion that the document presented by the petitioner can be registered, he shall register and release the same and if there is any impediment, the registering authority 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 six weeks from the date of presentation of document by the petitioner. Miscellaneous petitions, if any, pending, stand closed.

//TRUE COPY//

SD/-K.SAILESHI
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary, Stamps and Registration Department, State of Telengana, Office at T.S. Secretariat, Hyderabad.
2. The District Registrar, Hyderabad District.
3. The Joint Sub-Registrar, S.R. Nagar Registrar, SRO Code 1611, Panjagutta, Hyderabad.
4. One CC to M/s. Mustafa Basith Advocate [OPUC]
5. Two CCs to GP for Revenue, High Court for the State of Telangana. [OUT]
6. Two CD Copies.

PM

HIGH COURT

DATED:22/04/2021

ORDER

WP.No.7446 of 2021



Disposing of the WP
Without costs.

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[Signature]
28/04/2021