

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

THURSDAY, THE ELEVENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY ONE

PRESENT

THE HON'BLE SRI JUSTICE T. AMARNATH GOUD

WRIT PETITION NO: 24449 OF 2020

Between:

Sri Chinthalla Srinivas, S/o. Late Lakshmipathi, Aged about 56 years,
Occ: Singareni Job, R/o. H.No.B/22, Sector-1, Godavarikhani, Karimnagar.

...PETITIONER

AND

1. The State of Telangana, Department of Revenue (Stamps and Registration), Secretariat Buildings, Hyderabad, Rep by its Principle Secretary.
2. The District Registrar of Assurance Stamps and Registration Department, Karimnagar District.
3. The Sub-Registrar, Gangadhara, 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 a Writ, order or direction one in the nature of Writ of Mandamus and declare the action of the Respondent No. 3 in not receiving and registering the Sale Deed offered by the Petitioner in respect of land in Sy.No.15 admeasuring 266.66 Sq.Yards as illegal, arbitrary and violative of Article 14, 19, 21 and 300 (A).

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 Respondent No.3 to receive and register the Sale Deed in respect of the land in Sy.No.15 admeasuring 266.66 Sq.Yards, situated at Rekurthi Village of Karimnagar Revenue Mandal and District, pending disposal of the Writ Petition.

Counsel for the Petitioner: SRI. K. ASHOK REDDY

Counsel for the Respondents: GP FOR REVENUE

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

THE HON'BLE SRI JUSTICE T.AMARNATH GOUD

WRIT PETITION No.24449 of 2020

ORDER:

Heard learned counsel for the petitioner and learned Government Pleader. With their consent, the writ petition is disposed of at the stage of admission.

This writ petition is filed to declare the action of the 3rd respondent in not receiving and registering the sale deed of the petitioner in respect of the subject property as illegal and consequently direct the 3rd respondent to receive and register the sale deed of the petitioner.

Learned counsel for the petitioner would submit that when the petitioner presented the sale deed before the 3rd respondent, he refused to receive and register the same on some pretext or the other and hence, direct the 3rd respondent to receive and register the same.

Learned Government Pleader, on instructions, would submit that the subject lands are surplus lands and that the petitioner has not approached the 3rd respondent for registration of any document and hence, the question of receiving and refusing the document does not arise by the 3rd respondent.

On perusal of the writ affidavit, the petitioner has not stated anywhere that when he has presented the document, details of the documents and payment of stamp duty and registration charges as required. Therefore, the writ petition is premature and the same is liable to be dismissed.

Accordingly, the writ petition is dismissed. However, upon hearing the contentions of learned counsel for the petitioner, this

Court is of the view that as and when the petitioner present the document in full form before the 3rd respondent, the same shall be received and processed in accordance with law bearing in mind whether the properties are under prohibited list or government list or any surplus lands under the Ceiling Act. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this Petition, shall stand closed.

SD/-N.CHANDRA SEKHAR RAO
ASSISTANT REGISTRAR
SECTION OFFICER

//TRUE COPY//

To,

1. CC to Sri K. Ashok Reddy, Advocate [OPUC]
2. Two CCs to GP for Revenue, High Court for the State of Telangana at Hyderabad. [OUT]
3. Two CD Copies

CHR



HIGH COURT

DATED:11/02/2021

ORDER

W.P.No.24449 of 2020



DISMISSING THE WRIT PETITION
AT THE STAGE OF ADMISSION
WITHOUT COSTS

③ VLV
17/2/21