

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

TUESDAY, THE TWENTY SECOND DAY OF FEBRUARY
TWO THOUSAND AND TWENTY TWO

PRESENT

THE HONOURABLE SRI JUSTICE B.VIJAYSEN REDDY

WRIT PETITION NO: 5181 OF 2022

Between:

1. MD, Akhil Ahmed, S/o. Nazeer Ahmed, Age. 33 years, Occ. Agriculture, R/o. 4-4-48/1, Sheraliveedi, Gadwal Town, Jogulamba Gadwal District-509127
2. MD. Masthan, S/o. Daulat Sab, Age. 36 Years, Occ. Agriculture, R/o. 1-1-7, GandipetGadwal, JogulambaGadwal District.

...PETITIONERS

AND

1. The State of Telangana, Represented by its Principal Secretary, Stamps and Registration, Secretariat, Hyderabad.
2. The Commissioner and Inspector General, Stamps and Registration Department, M.J.Market, Hyderabad.
3. The District Registrar, JogulambaGadwal District, Gadwal.
4. The Sub-Registrar, Gadwal JogulambaGadwal 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 order, direction or writ, more particularly, in the nature of Writ of Mandamus, thereby declaring the act of Respondent No.4 in refusing to receive, register and releasing the documents in favour of the prospective purchasers produced by the petitioner basing on the vide No.G2/257/2019 dated 26/08/2020 read with Circular Memo No. G2/257/2019 dated 29/12/2020 in respect of Plots bearing open plot No. 1 (admeasuring 192.5 sq. yards), plot No. 2 (admeasuring 161.11 sq. yards), Plot No. 3 (admeasuring 150 sq. yards), plot No. 4 (admeasuring 106.33 sq. yards), plot No. 5 (admeasuring 82.6 sq. yards), plot No. 6 (admeasuring 166.66 sq. yards), plot No. 7 (admeasuring 229.16 sq. yards), plot No. 8 (admeasuring 100 sq. yards) and plot No. 9 (admeasuring 166.66 sq. yards) total admeasuring Ac 0.1150.Gts corresponding to

Sy.No.978/5/1/2 situated at Gadwal Town, JogulambaGadwal District in spite of the Orders dated 23/08/2021 passed by the Hon'ble High Court at Hyderabad in WP no.9248/2021 as illegal, arbitrary and violation of Articles 14, 21 and 300A and also against the principles of natural justice and consequently direct the Respondent No.4 to receive, register and release the documents in favour of the prospective purchasers produced by the Petitioner for unapproved open Plots bearing open plot No. 1 (admeasuring 192.5 sq. yards), plot No. 2 (admeasuring 161.11 sq. yards), Plot No. 3 (admeasuring 150 sq. yards), plot No. 4 (admeasuring 108.33 sq. yards), plot No. 5 (admeasuring 82.6 sq. yards), plot No. 6 (admeasuring 166.66 sq. yards), plot No. 7 (admeasuring 229.16 sq. yards), plot No. 8 (admeasuring 100 sq. yards) and plot No. 9 (admeasuring 166.66 sq. yards) total admeasuring Ac 0.1150.Gts corresponding to Sy.No.978/5/1/2 situated at Gadwal Town, JogulambaGadwal District.

IA NO: 1 OF 2022

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.4 to receive, register and release the documents produced by the petitioner in respect of unapproved open Plots bearing open plot No. 1 (admeasuring 192.5 sq. yards), plot No. 2 (admeasuring 161.11 sq. yards), Plot No. 3 (admeasuring 150 sq. yards), plot No. 4 (admeasuring 108.33 sq. yards), plot No. 5 (admeasuring 82.6 sq. yards), plot No. 6 (admeasuring 166.66 sq. yards), plot No. 7 (admeasuring 229.16 sq. yards), plot No. 8 (admeasuring 100 sq. yards) and plot No. 9 (admeasuring 166.66 sq. yards) total admeasuring Ac 0.1150.Gts corresponding to Sy.No.978/5/1/2 situated at Gadwal Town, JogulambaGadwal District pending disposal of the Writ Petition.

Counsel for the Petitioners: SRI. S. GOUTHAM

Counsel for the Respondents: AGP FOR REVENUE

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE B. VIJAYSEN REDDY

WRIT PETITION No.5181 of 2022

ORDER:

Heard both sides and perused the material on record.

2. It is submitted by the learned counsel on either side that subject matter of this writ petition is squarely covered by the common order passed by this Court in W.P. No.328 of 2022 and batch dated 18.02.2022 as modified by the order dated 22.02.2022 in I.A. No.2 of 2022 in W.P. No.2985 of 2022 and batch, as such, this writ petition may be disposed of in terms thereof.

3. Therefore, following the common order dated 18.02.2022 in W.P. No.328 of 2022 and batch as modified by the order dated 22.02.2022 in I.A. No.2 of 2022 in W.P. No.2985 of 2022, in terms thereof, this writ petition is disposed of as under without any order as to costs:

(i) The respondent - Sub-Registrar is directed to register the document of sale, transfer and gift etc., presented for registration by the petitioner/s without reference to the Memo Nos.G2/257/2019 dated 26.08.2020 and 29.12.2020 issued by the respondent - the Commissioner and Inspector General of Registration and Stamps, Telangana; Letter No.45/TP/NMC/2019 dated 01.11.2019 issued by the respondent - the Commissioner, Municipal Corporation,

Nizampet to the respondent - the Sub Registrar, Quthbullapur, Ranga Reddy District, and similar letters, if any, issued by the various Municipal Commissioners in the State;

(ii) the Sub Registrars in the State shall make an endorsement at the reverse side of the first page of the document referred in direction No.(i) that registration so done is subject to outcome of SLP (Civil) No.19695 of 2021 filed by the State Government before the Hon'ble Supreme Court; and

(iii) in case, it is found that there is any violation of law like plots / lands / structures being sold form part of F.T.L. and Buffer Zone / Plots having less than 30 feet road width access, the Sub Registrar shall make an endorsement informing / cautioning the purchasers that risk is involved in purchase of such plots; such transactions are hit by relevant statutory provisions; that registration of the same is subject to outcome of orders of the Hon'ble Supreme Court in SLP (Civil) No.19695 of 2021. To that effect, an endorsement shall be made on the reverse side of the first / second page of the document and also in the encumbrance record, website etc.

As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition shall stand closed.

SD/-P.PADMANABHA REDDY
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

- To,
1. The Principal Secretary, Stamps and Registration, State of Telangana, Secretariat, Hyderabad.
 2. The Commissioner and Inspector General, Stamps and Registration Department, M.J. Market, Hyderabad.
 3. The District Registrar, JogulambaGadwal District, Gadwal.
 4. The Sub-Registrar, Gadwal JogulambaGadwal District.
 5. One CC to Sri S. Goutham, Advocate [OPUC]
 6. Two CCs to GP for Revenue, High Court for the State of Telangana. [OUT]
 7. Two CD Copies
 8. One Spare Copy

HIGH COURT

DATED:22/02/2022



ORDER

WP.No.5181 of 2022

DISPOSING OF THE WP
WITHOUT COSTS

10
28/3/22
Hvt