

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

FRIDAY, THE TWENTY FIFTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY TWO

PRESENT

THE HONOURABLE SRI JUSTICE B.VIJAYSEN REDDY

WRIT PETITION NO: 10090 OF 2022

Between:

1. Sadiya Qamer, W/o Mohammed Shakeel Miskini, Aged about 36 years, Occ. Household, R/o H.No.13-162/1, Shaheen Nagar, Bahadurpura, Hyderabad, T.S.
2. Syeda Tayyaba Esmat Unnisa, W/o Syed Arif, Aged about 44 years, Occ. Housewife, R/o H.No.12-2-830/A/1, Red Hills, Mehdiapatnam, Hyderabad, T.S.
3. Rabia Sultana, W/o Ghouse Mohiuddin Ghorl, Aged about 50 years, Occ. Housewife, R/o H.No.17-8-421/H, Yakutpura, Hyderabad, T.S.
4. Saleh Bin Awaz, S/o Late Awaz Bin Ahmed, Aged about 47 years, Occ. Business, R/o H.No.22-6-899, Panjasha, Charminar, Hyderabad, T.S.
5. Naseem Sultana, W/o Khaja Pasha, Aged about 53 years, Occ. Housewife, R/o H.No.19-2-203/L, Ranmasthpura Backside, Bahadurpura, Hyderabad, T.S.
6. Khaja Pasha, S/o Mohammed Osman, Aged about 60 years, Occ. Business, R/o H.No.19-2-203/L, Ranmasthpura Backside Bahadurpura, Hyderabad, T.S.
7. Mubeena Banu, W/o Mohd. Shabbir, Aged about 42 years, Occ. Housewife, R/o H.No.19-2-369/36/33/2, Chandu Lal Baradari, Bahadurpura, Hyderabad, T.S.
8. Al Amri Khalid Jafar, S/o. Jafar Abdul Reitman Al Amri, Aged about 30 years, Occ. Business, R/o Dream City Compound, H.No.43, Near Bala Garden Function Hall, Balapur Road, Chandrayangutta, Hyderabad, T.S.
9. Ulfat Ruqia, W/o Mohammed Ehtesham Uddin, Aged about 55 years, Occ. Housewife, R/o H.No.23-2-485, Moghalpura, Charminar, Hyderabad, T.S.
10. Mohammed Ibrahim Aijaz, S/o Late Mohammed Yousuf, Aged about 51 years, Occ. Business, R/o H.No.19-5-17/A139/1, Bahadurpura, Hyderabad, T.S.
11. Zaheda Moazzam, W/o Mohammed Ibrahim Aijaz, Aged about 51 years, Occ. Housewife, R/o H.No.19-5- 17 /A/39/1, Bahadurpura, Hyderabad, T.S.
12. Mohammed Hameed Uddin Ahmed, S/o Late Mohammed Aliuddin Ahmed, Aged about 18 years, Occ. Business, R/o H.No.23-2-233, Moghalpura, Hyderabad, T.S.
13. Siraj Fatima, W/o Late Mohammed Aliuddin Ahmed, Aged about 36 years, Occ. Household, R/o H.No.23-2-233, Moghalpura, Hyderabad, T.S.
14. Baji Shaik, S/o Lalu Saheb, Aged about 36 years, Occ. Business, R/o Vutukuru Gampalagudem, Krishna District, A.P.

15. Afrah Razzak, D/o Abdul Razzak, Aged about 26 years, Occ. Household, R/o H.No.3-6-6281402, Himayath Nagar, Hyderabad, T.S.

...PETITIONER(S)

AND

1. The State of Telangana, Rep. by its Principal Secretary, Revenue Stamps and Registration Department, Secretariat, Hyderabad.
2. The Commissioner and Inspector General, Stamps and Registration, Moazzam Jahi Market, Hyderabad, T.S.
3. The Sub-Registrar, Doodh Bowli, Hyderabad, T.S.
4. The Greater Hyderabad Municipal Corporation, Rep. by its Commissioner, Tank Bund, 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 writ, order or direction more in the nature of Writ of Mandamus, declaring the action of the Respondent No.3 herein, in refusing to receive, register and release the sale deeds presented by the Petitioners in respect of the Flat No.101, on first floor of the complex known as AL-NOOR APARTMENT, with a plinth area of 900.00 square feet (including common areas and one car parking space in parking lot admeasuring 100 square feet), together with undivided share in land 20.45 square yards (Out of 450.0 square yards), in the premises bearing Municipal Nos. 19-2-227/21/18/B/C and 19-2-227/21/18/B/C/1, on Plot No.B-C, situated at Ramanaspura, Bahadurpura, Hyderabad, T.S., Flat No.103, on first floor of the complex known as AL-NOOR APARTMENT, with a plinth area of 900.00 square feet (including common areas and one car parking space in parking lot admeasuring 100 square feet), together with undivided share in land 20.45 square yards (Out of 450.0 square yards), in the premises bearing Municipal Nos.19-2-227/21/18/B/C and 19-2-227/21/18/B/C/1, on Plot No.B-C, situated at Ramanaspura, Bahadurpura, Hyderabad, T.S., Flat No.201, on second floor of the complex known as AL-NOOR APARTMENT, with a plinth area of 900.00 square feet (including common areas), together with undivided share in land 20.45 square yards (Out of 450.0 square yards), in the premises bearing Municipal Nos. 19-2-227/21/18/B/C and 19-2-227/21/18/B/C/1, on Plot No.B-C, situated at Ramanaspura, Bahadurpura, Hyderabad, T.S., Flat No.203, on second first floor of the complex known as AL-

NOOR APARTMENT, with a plinth area of 900.00 square feet (including common areas), together with undivided share in land 20.45 square yards (Out of 450.0 square yards), in the premises bearing Municipal Nos.19-2-227/21/18/B/C and 19-2-227/21/18/B/C/1, on Plot No.B-C, situated at Ramanaspura, Bahadurpura, Hyderabad, T.S., Flat No.301, on third floor of the complex known as AL-NOOR APARTMENT, with a plinth area of 900.00 square feet (including common areas), together with undivided share in land 20.45 square yards (Out of 450.0 square yards), in the premises bearing Municipal Nos.19-2- 227/21/18/B/C and 19-2-227/21/18/B/C/1, on Plot No.B-C, situated at Ramanaspura, Bahadurpura, Hyderabad, T.S., Flat No.302, on third floor of the complex known as AL-NOOR APARTMENT, with a plinth area of 900.00 square feet (including common areas and one car parking space in parking lot admeasuring 100 square feet), together with undivided share in land 20.45 square yards (Out of 450.0 square yards), in the premises bearing Municipal Nos.19-2-227/21/18/B/C and 19-2-227/21/18B/C/1, on Plot No.B-C, situated at Ramanaspura, Bahadurpura, Hyderabad, T.S., Flat No.303, on third floor of the complex known as AL-NOOK APARTMENT, with a plinth area of 900.00 square feet (including common areas), together with undivided share in land 20.45 square yards (Out of 450.0 square yards), in the premises bearing Municipal Nos.19-2-227/21/18/B/C and 19-2-227/21/18B/C/1, on Plot No.B-C, situated at Ramanaspura, Bahadurpura, Hyderabad, T.S., Flat No.304, on third floor of the complex known as AL-NOOR APARTMENT, with a plinth area of 900.00 square feet (including common areas and one car parking space in parking lot admeasuring 100 square feet), together with undivided share in land 20.45 square yards (Out of 450.0 square yards), in the premises bearing Municipal Nos.19-2-227/21/18/B/C and 19-2-227/21/18/B/C/1, on Plot No.B-C, situated at Ramanaspura, Bahadurpura, Hyderabad, T.S., Flat No.401, on fourth floor of the complex known as AL-NOOR APARTMENT, with a plinth area of 900.00 square feet (including common areas), together with undivided share in land 20.45 square yards (Out of 450.0 square yards), in the premises bearing Municipal Nos.19-2-227/21/18/B/C and 19-2-227/21/18/B/C/1, on Plot No.B-C, situated at Ramanaspura, Bahadurpura, Hyderabad, T.S., Flat No.403, on fourth floor of the complex known as AL-NOOR APARTMENT, with a plinth area of 900.00 square feet (including common areas), together with undivided share in land 20.45 square yards (Out of 450.0 square

yards), in the premises bearing Municipal No's.19- 2-227/21/18/B/C and 19-2-227/21/18/B/C/1, on Plot No.B-C, situated at Ramanaspura, Bahadurpura, Hyderabad, T.S., Flat No.404, on fourth floor of the complex known as AL-NOOR APARTMENT, with a plinth area of 900.00 square feet (including common areas), together with undivided share in land 20.45 square yards ,(Out of 450.0 square yards), in the premises bearing Municipal No's.19-2- 227/21/18/B/C and 19-2-227/21/18/B/C/1, on Plot No.B-C, situated at Ramanaspura, Bahadurpura, Hyderabad, T.S., and Flat No.504, on fifth floor of the complex known as AL-NOOR APARTMENT, with a plinth area of 900.00 square feet (including common areas and one car parking space in parking lot admeasuring 100 square feet), together with undivided share in land 20.45 square yards (Out of 450.0 square yards), in the premises bearing Municipal No's.19-2-227/21/18/B/C and 19-2-227/21/18/B/C/1, on Plot No.B-C, situated at Ramanaspura, Bahadurpura, Hyderabad, T.S., on the ground that the Proceedings No.G2/257/2019, dated 26-08-2020, is issued by the Respondent No.2, is wholly illegal, arbitrary and contrary to the provision of the Registration Act and consequently direct the Respondent No.3 herein to receive, register and release the sale deed presented by the Petitioners herein, without reference to the Memo No.G2/257/2019, dated 26-08-2020, issued by the Respondent No.2.

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.3 herein to receive, register and release the sale deeds presented by the Petitioners herein in respect of Flat No.101, on first floor of the complex known as "AL-NOOR APARTMENT", with a plinth area of 900.00 square feet (including common areas and one car parking space in parking lot admeasuring 100 square feet), together with undivided share in land 20.45 square yards (Out of 450.0 square yards), in the premises bearing Municipal No's.19-2-227/21/18/B/C and 19-2- 227/21/18/B/C/1, on Plot No.B-C, situated at Ramanaspura, Bahadurpura, Hyderabad, T.S., Flat No.103, on first floor of the complex known as "AL-NOOR APARTMENT", with a plinth area of 900.00 square feet (including common areas and one car parking space in parking lot admeasuring 100 square feet), together with undivided share in land 20.45

square yards (Out of 450.0 square yards), in the premises bearing Municipal No's.19-2-227/21/18/B/C and 19-2-227/21/18/B/C/1, on Plot No.B-C, situated at Ramanaspura, Bahadurpura, Hyderabad, T.S., Flat No.201, on second floor of the complex known as "AL-NOOR APARTMENT", with a plinth area of 900.00 square feet (including common areas), together with undivided share in land 20.45 square yards (Out of 450.0 square yards), in the premises bearing Municipal No's.19-2-227/21/18/B/C and 19-2-227/21/18/B/C/1, on Plot No.B-C, situated at Ramanaspura, Bahadurpura, Hyderabad, T.S., Flat No.203, on second first floor of the complex known as "AL-NOOR APARTMENT", with a plinth area of 900.00 square feet (including common areas), together with undivided share in land 20.45 square yards (Out of 450.0 square yards), in the premises bearing Municipal No's.19-2-227/21/18/B/C and 19-2-227/21/18/B/C/1, on Plot No.B-C, situated at Ramanaspura, Bahadurpura, Hyderabad, T.S., Flat No.301, on third floor of the complex known as "AL-NOOR APARTMENT", with a plinth area of 900.00 square feet (including common areas), together with undivided share in land 20.45 square yards (Out of 450.0 square yards), in the premises bearing Municipal No's.19-2-227/21/18/B/C and 19-2-227/21/18/B/C/1, on Plot No.B-C, situated at Ramanaspura Bahadurpura, Hyderabad, T.S., Flat No.302, on third floor of the complex known as "AL-NOOR APARTMENT", with a plinth area of 900.00 square feet (including common areas and one car parking space in parking lot admeasuring 100 square feet), together with undivided share in land 20.45 square yards (Out of 450.0 square yards), in the premises bearing Municipal No's.19-2-227/21/18/B/C and 19-2-227/21/18/B/C/1, on Plot No.B-C, situated at Ramanaspura, Bahadurpura, Hyderabad, T.S., Flat No.303, on third floor of the complex known as "AL-NOOR APARTMENT", with a plinth area of 900.00 square feet (including common areas), together with undivided share in land 20.45 square yards (Out of 450.0 square yards), in the premises bearing Municipal No's.19-2-227/21/18/B/C and 19-2-227/21/18/B/C/1, on Plot No.B-C, situated at Ramanaspura, Bahadurpura, Hyderabad, T.S., Flat No.304, on third floor of the complex known as "AL-NOOR APARTMENT", with a plinth area of 900.00 square feet (including common areas and one car parking space in parking lot admeasuring 100 square feet), together with undivided share in land 20.45 square yards (Out of 450.0 square yards), in the premises bearing Municipal No's.19-2-227/21/18/B/C and 19-2-227/21/18/B/C/1, on Plot No.B-C,

situated at Ramanaspura, Bahadurpura, Hyderabad, T.S., Flat No.401, on fourth floor of the complex known as "AL-NOOR APARTMENT", with a plinth area of 900.00 square feet (including common areas), together with undivided share in land 20.45 square yards (Out of 450.0 square yards), in the premises bearing Municipal No's. 19-2-227/21/18/B/C and 19-2-227/21/18/B/C/1, on Plot No.B-C, situated at Ramanaspura, Bahadurpura, Hyderabad, T.S., Flat No.403, on fourth floor of the complex known as "AL-NOOR APARTMENT", with a plinth area of 900.00 square feet (including common areas), together with undivided share in land 20.45 square yards (Out of 450.0 square yards), in the premises bearing Municipal No's.19-2-227/21/18/B/C and 19-2-227/21/18/B/C/1, on Plot No.B-C, situated at Ramanaspura, Bahadurpura, Hyderabad, T.S., Flat No.404, on fourth floor of the complex known as "AL-NOOR APARTMENT", with a plinth area of 900.00 square feet (including common areas), together with undivided share in land 20.45 square yards (Out of 450.0 square yards), in the premises bearing Municipal No's.19-2-227/21/18/B/C and 19-2-227/21/18/B/C/1, on Plot No.B-C, situated at Ramanaspura, Bahadurpura, Hyderabad, T.S., and Flat No.504, on fifth floor of the complex known as "AL-NOOR APARTMENT", with a plinth area of 900.00 square feet (including common areas and one car parking space in parking lot admeasuring 100 square feet), together with undivided share in land 20.45 square yards (Out of 450.0 square yards), in the premises bearing Municipal No's. 19-2-227/21/18/B/C and 19-2-227/21/18/B/C/1, on Plot No.B-C, situated at Ramanaspura, Bahadurpura, Hyderabad, T.S., without reference to the Memo No.G2/257/2019, dated 26-08-2020, issued by the Respondent No.2, pending disposal of the writ petition.

Counsel for the Petitioner(s): SRI MIRZA SHAH NAWAZ BAIG

Counsel for the Respondent Nos. 1 to 3: GP FOR STAMPS & REGISTRATION

**Counsel for the Respondent No. 4: SRI PASHAM KRISHNA REDDY,
SC FOR MUNICIPALITIES**

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE B. VIJAYSEN REDDY

WRIT PETITION No.10090 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 stand closed.

SD/-P.PADMANABHA REDDY
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Revenue Stamps and Registration Department, State of Telangana, Secretariat, Hyderabad.
2. The Commissioner and Inspector General, Stamps and Registration, Moazzam Jahi Market, Hyderabad, T.S.
3. The Sub-Registrar, Doodh Bowli, Hyderabad, T.S.

4. The Commissioner, Greater Hyderabad Municipal Corporation, Tank Bund, Hyderabad.
5. One CC to SRI MIRZA SHAH NAWAZ BAIG Advocate [OPUC]
6. One CC to SRI PASHAM KRISHNA REDDY, SC FOR MUNICIPALITIES [OPUC]
7. Two CCs to GP FOR STAMPS AND REGISTRATION (TG) ,High Court for the State of Telangana. [OUT]
8. Two CD Copies.
9. One spare copy.

NPJ

SW



HIGH COURT

DATED:25/02/2022



ORDER

WP.No.10090 of 2022

DISPOSING OF THE WRIT PETITION
WITHOUT COSTS.

(11)

VVV
4/3/22