

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

FRIDAY, THE THIRTIETH DAY OF DECEMBER
TWO THOUSAND AND TWENTY TWO

PRESENT

THE HONOURABLE SRI JUSTICE MUMMINENI SUDHEER KUMAR

WRIT PETITION NO: 11658 OF 2021

Between:

1. Sri Veerannagari Gautham Reddy, S/o Narender Reddy Aged 50 years Occ.Business R/o Plot No.72 Legend Chimes, Kokapet, Ranga Reddy District. Rep by his GPA holder Osman Ali Osmani S/o Ali Nizam Osmani aged about 44 years H No.16-10-1/2/A/1, Rc-road, Malakpet, Hyderabad.
2. Smt Veerannagari Chaitanya Reddy, @ Simhadri Chaithnaya Reddy D/o.V Narender Reddy W/o Simhadri Kiran aged 48 years R/o 8700, Carriage Hills Road Savage MN 5578 US. Rep by his GPA holder K Rarnakristina Reddy s/o late KYadiReddy aged about 40 years r/o Flat no.303, Nath Utsav Apt. Tilak nagar, Nallakunta, Hyderabad 500044
3. Srini's Developers (Pan No.ADUFS7948C), Rep by Sri Gandra Srinivas Rao-) S/o late G.Narsing Rao aged 47yrs Occ.Business R/o 1-4-180/A19/2, Old Alwal, Opp.Layola College, BHEL Color.v. Secunderabad
4. Chinnamaneni Rahul Madhava Rao, S/o Sudheer Rao, Aged 29 yrs Occ. Pvt Employee R/o 10-4-47/1/1, Karimnagar 505 001

...PETITIONERS

AND

1. The State of Telangana, Rep. by Principal Secretary, Revenue Department, Secretariat Buildings, Secretariat, Hyderabad.
2. The District Collector, Medchal-Malkajigiri District
3. The Commissioner and inspector, General of Registrations and Stamps, Telangana Hyderabad
4. The Commissioner, Telangana Endowments Department, Boggulakunta, Abids, Hyderabad.
5. The Assistant Commissioner, Endowments Department Ranga Ruddy District
6. Tahsildar Cum Sub Registrar, Shameerpet Mandal Medechal-Malkajigiri District
7. Sri Seetharama Swamy Temple, 3-35. Devaryamjal Village, Shamerpet Mandal, Medchal Malkajigiri. 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 one more particularly one in the nature of Writ of Mandamus i) declaring the inclusion of Petitioners, lands in Memo No. G1/2263 of 2014 dated 25/09/2014 sent by Respondent No.3 to respondent No.6 as unlawful, unconstitutional and violative of petitioners' constitutional rights and set aside such inclusion. ii) Declare the said Memo No. G1/2263 of 2014 dated 25/09/2014 in so far as the petitioners lands' as ultravires Endowment Act, Registration Act apart from being unconstitutional and strike down the said Memo G1.2263 2014 dated 25/09/2014. iii) Declare the action of respondent No.6 in taking note of such illegal communication sent by respondent No. 3 and thereby not registering and releasing the documents presented by the petitioners relating to the land presented by the petitioners in respect of land in Sy No.214/Part to an extent of Ac.0-04.132 guntas situated at Davaryamjal Village, Shameerpet Mandal, Medchal-Malkajgiri District as illegal, arbitrary, unconstitutional, ultra-vices Registration Act and set aside such action. iv) Resultant direct the respondent No.6 to forthwith register and release the sale deed which was presented by the petitioners and direct the respondents not to interfere with the petitioners' rights in any manner.

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 6th Respondent to forthwith register and release the document which was presented by the Petitioners pertaining to the land in Sy No.214/Part to an extent of Ac.0-04.132 guntas situated at Davaryamjal Village, Shameerpet Mandal, Medchal-Malkajgiri District without reference to the communication of the 3rd respondent issued vide Memo No. G1/2263 of 2014 dated 25-09-2014 pending disposal of the writ petition.

Counsel for the Petitioners: SRI. NARESH REDDY CHINNOLLA

Counsel for the Respondent No. 1 to 3, and 6: GP FOR STAMPS AND REGISTRATION (TG)

Counsel for the Respondent No.4 and 5: GP FOR ENDOWMENTS

Counsel for the Respondent No.7: SRI. K. JAGAN MOHAN REDDY

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE MUMMINENI SUDHEER KUMAR

WRIT PETITION No.11658 of 2021

ORDER:

Learned counsel for the petitioners filed a letter dated 26.12.2022 in the Registry seeking permission of this Court to withdraw the writ petition with liberty to the petitioners to file a fresh writ petition.

2. This Court by an order dated 30.04.2021 granted interim direction as prayed for in I.A.No.1 of 2021 in W.P.No.11658 of 2021. However, this Court made it clear that any registration pursuant to the said interim order is only a provisional one and the same is subject to the final result of writ petition; and that the petitioners shall not claim any equities in the event any adverse orders are passed against them and no equities would accrue to the purchasers.

3. In view of the fact that since the petitioners are seeking permission of this Court to withdraw the writ petition, any registration that had taken place in respect to the subject property after order, dated 30.04.2021 passed by this Court, shall stand cancelled and respondent No.6 shall take necessary consequential steps.

4. Accordingly, this Writ Petition is dismissed as withdrawn granting liberty as sought for by the petitioners. There shall be no order as to costs.

Miscellaneous applications, if any, pending in this writ petition, shall stand closed.

SD/-MOHD.SANAULLAH ANSARI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. One CC to Sri. Naresh Reddy Chinnolla, Advocate [OPUC]
2. One CC to Sri. K. Jagan Mohan Reddy, Advocate, [OPUC]
3. Two CCs to GP for Endowment, High Court for State of Telangana, [OUT]
4. Two CCs to GP for Stamps and Registration (TG) ,High Court for the State of Telangana, [OUT]
5. Two CD Copies

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BS

BSr,

HIGH COURT

DATED:30/12/2022

ORDER

WP.No.11658 of 2021



DISMISSING THE WRIT PETITION
AS WITHDRAWN WITHOUT COSTS.

9 Copies

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12/23