

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)
WEDNESDAY, THE TWENTY SEVENTH DAY OF APRIL
TWO THOUSAND AND TWENTY TWO
PRESENT**

THE HONOURABLE SRI JUSTICE N.V.SHRAVAN KUMAR

WRIT PETITION NO: 21198 OF 2022

Between:

Sher Oddenna, S/o Doddenna, Occ. Agriculture, R/o H.No. 4-1-1/1/10, Nallapochammagally, Armoor Village and Mandal, Nizamabad District

...Petitioner

AND

1. The State of Telangana, Rep. by its Principle Secretary, Stamps and Registration Department, Secretariat, Hyderabad.
2. The Commissioner and Inspector General, Registration and Stamps, Telangana State, Hyderabad.
3. The Sub Registrar, Stamps and Registration Department, Armoor, Nizamabad 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 or direction more particularly one in the nature of Writ of Mandamus, declaring the action of the respondent No. 3 in refusing to receive, register and release sale deeds in respect of the Plots bearing Nos. 22, 26 and 28 in Sy.No. 2043/A/2/1 total admeasuring Ac.0-13gts situated at Armoor Village, Armoor Mandal, Nizamabad District by referring the Memo bearing No. G2/257/2019 dated 26/08/2020 and 29/12/2020 issued by the 2nd Respondent as illegal, arbitrary, unconstitutional and contrary to the provisions of Registration Act 1908 and also contrary to the orders passed by this Hon'ble Court and consequently direct the respondent No. 3 to receive, register and release the sale deed presented by the petitioner in respect of the above said property without reference to the Memo bearing No G2/257/2019 dated 26/08/2020 and 29/12/2020 issued by the 2nd Respondent;

IA NO: 1 OF 2022

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to direct the respondents to receive, register and release the sale deeds presented before the 3rd respondent in respect of the Plots bearing Nos. 22, 26 & 28 in Sy.No. 2043/A/2/1 total admeasuring Ac.0-13gts situated at Armoor Village, Armoor Mandal, Nizamabad District, without reference to the Memo bearing No.G2/ 257/ 2019 dated 26/08/2020 and 29/12/2020;

Counsel for the Petitioner:

SRI. SRIKANTH KAVETI

Counsel for the Respondents:

GP FOR REVENUE

The Court made the following

ORDER:

THE HONOURABLE SRI JUSTICE N.V.SHRAVAN KUMAR

WRIT PETITION No.21198 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 dated 18.02.2022 passed by this Court 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 and batch, as such, this writ petition may be disposed of in terms thereof.

3. Therefore, following the common order dated 18.02.2022 passed by this Court 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 and batch, 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, 2 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,

subject to the petitioner(s) complying with the provisions of the Indian Registration Act, 1908, and Indian Stamp Act, 1899. It is open to the Registering Authority to refuse/receive the document(s) presented before him, if he has any other objection, by duly assigning reasons in support of such decision and communicate the said decision to the petitioner(s);

(ii) the respondent - 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 applications, if any, pending in the writ petition shall stand closed.

//TRUE COPY//

SD/- L. SHIVA PARVATHI
ASSISTANT REGISTRAR



SECTION OFFICER

To,

1. The Principle Secretary, Stamps and Registration Department, State of Telangana, Secretariat, Hyderabad.
2. The Commissioner and Inspector General, Registration and Stamps, Telangana State, Hyderabad.
3. The Sub Registrar, Stamps and Registration Department, Armoor, Nizamabad District.
4. One CC to Sri Srikanth Kaveti Advocate [OPUC]
5. Two CC to GP for Revenue, High Court for the State of Telangana. [OUT]
6. Two CD copies

HIGH COURT

NVSKJ

DATED:27/04/2022

ORDER

WP.No.21198 of 2022

WRIT PETITION IS DISPOSED OF WITHOUT COSTS

