

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

THURSDAY, THE SEVENTEENTH DAY OF MARCH
TWO THOUSAND AND TWENTY TWO

**PRESENT
THE HONOURABLE SRI JUSTICE B.VIJAYSEN REDDY**

WRIT PETITION NO: 30188 OF 2021

Between:

A. Somireddy, S/o. A. Sambireddy,

...PETITIONER

AND

1. The State of Telangana, Represented by the Principal Secretary, Department of Revenue, (Stamp and Registration), Telangana State, Secretariat, Hyderabad T.S.
2. The Commissioner and Inspector General of Registration and Stamp, Mozamjahi Market Road, Hyderabad 500001 T.S.
3. The Sub-Registrar, Office, Quthbullapur, I Floor, Suraram 'X' Road, 1-303/1, Suraram Main Rd, Quthbullapur(M), Suraram, Hyderabad, 500055, T.S.

...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 particularly in the nature of the writ of mandamus, declaring the action of the Respondent No 3, in not entertaining registration of the Petitioners Sale Deed Transactions, on the basis of Memo No G/2/257/2019, dated 26/08/2020, issued by the Respondent No 2, as illegal, arbitrary and in violation of orders in W.P. No. 9248 of 2021 dated 23/08/2021, and to consequently direct the Respondent No 3 to receive, register and release the Sale Deeds pertaining to Plot bearing Nos- 766, 767 and 768, total measuring- 600.0 Sq. yards or 501.6 Sq. mtrs(each plot measuring- 200.0 Sq. yards), in Survey No- 118, situated at Gujularamaram Village, Quthbullapur Mandal, under GHMC Quthbullapur Circle, Medchal- Malkajgiri District, T.S., not WithStanding the memo issued by the Respondent No 2.

IA NO: 1 OF 2021

Petition under Section 151 of CPC, praying that in the circumstances stated in the affidavit filed in the writ petition, the High Court may be pleased to direct the Respondent No. 3 to receive, register and release the sale deeds of the petitioner in respect to register and release the sale deeds pertaining to Plot bearing Nos. 766, 767 & 768, total admeasuring 600.0 Sq. yards or 501.6 sq. mtrs (each plot measuring 200.0 sq. yards) in Survey No: 118, situated at Gujularamaram Village, Quthbullapur Mandal, under GHMC Quthbullapur Circle, Medchal-Malkajgiri District, T.S., without reference to Memo No G/2/257/2019, dated 26.08.2020, issued by the Respondent No. 2.

Counsel for the Petitioner : SRI SAROSH SAM BASTAWALA

Counsel for the Respondents : GP FOR STAMPS AND REGISTRATION

THE COURT MADE THE FOLLOWING ORDER:

HONOURABLE SRI JUSTICE B. VIJAYSEN REDDY

WRIT PETITION No.30188 OF 2021

ORDER:

Heard both sides and perused the material on record.

2. It is submitted by the learned counsel on either side that the 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, and therefore, keeping the matter pending will not serve any purpose, as such, the same may be disposed of in terms thereof.

3. This Court passed interim order in this writ petition directing the respondents to receive, process, register and release the subject document/s. However, conditions were imposed that (a) the petitioner/s is/are not permitted to withdraw the writ petition and (b) registration shall be subject to final result of the writ petition.

4. In view of the above, recording the aforesaid submission of the learned counsel on either side, 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:

(A) If the subject document/s has/have already been registered and released pursuant to the interim order;

(i) the document/s registered by the Sub-Registrar shall be subject to outcome of SLP (Civil) No.19695 of 2021 filed by the State Government before the Hon'ble Supreme Court; and

(ii) 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 in the encumbrance record, website etc.

(B) If the subject document/s is/are not yet registered and released pursuant to the interim order;

(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 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.

The miscellaneous petitions pending, if any, shall stand closed.

There shall be no order as to costs.

SD/- K. SRINIVAS RAO
JOINT REGISTRAR

//TRUE COPY//


SECTION OFFICER

1. The Principal Secretary, Department of Revenue, (Stamp and Registration), State of Telangana, Telangana State, Secretariat, Hyderabad T.S.
2. The Commissioner and Inspector General of Registration and Stamp, Mozanjahi Market Road, Hyderabad 500001 T.S.
3. The Sub-Registrar, Office, Quthbullapur, I Floor, Suraram 'X' Road, 1-303/1, Suraram Main Rd, Quthbullapur(M), Suraram, Hyderabad, 500055, T.S. ~~(Addressee to 3 BY RPS)~~
4. Two CCs to GP for Stamps & Registration, High Court of Telangana, at Hyderabad. (OUT)
5. One CC to Sri Sarosh Bastawala, Advocate (OPUC)
6. **Two CD Copies**

HIGH COURT

BVRJ

DATED:17/03/2022

ORDER

WP.No.30188 of 2021

WP IS DISPOSED OF WITHOUT COST



② *Copy*
WP