

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

**FRIDAY, THE TWENTY SIXTH DAY OF AUGUST  
TWO THOUSAND AND TWENTY TWO**

**PRESENT**

**THE HONOURABLE SRI JUSTICE K.LAKSHMAN**

**WRIT PETITION NO: 33643 OF 2022**

**Between:**

1. Kamhari Naveen Kumar, S/o Brahmaiah, Aged about 33 yrs, Occu. Private Employee, R/o H.No. 2-82, Palakonda Village, Mahabubnagar District.
2. K.Srinivas Gupta, S/o. K.Sugaiah, Aged 75 yrs, Occu. Business, R/o H.NO. 1-184/4, Sugureshwar Colony, Makthal Mandal, Mahabubnagar District.
3. N.Baganna Goud, S/o. Late.Balappa, Aged 68 yrs, Occu. Retd.Employee, R/o H.No. 5-3-21/1, Gouds colony, Near I Town Police Station, Mahabubnagar.
4. S.Ramesh Goud, S/o. Shankaraiah, Aged 63 yrs, Occu. Business, R/o H.No. 5-4-2, Old Palamur Street, Mahabubnagar.
5. Syed Saleemuddin, S/o. Lae.Syed Moinuddin, Aged 52 yrs, Occu. Business, R/o H.No. 1-1-76/B, Mothi Nagar, Mahabubnagar.
6. Syed Khaleeluddin, S/o. Late.Syed Moinuddin, Aged 50 yrs, Occu. Business, R/o H.No. 1-1-76/B, Mothi Nagar, Mahabubnagar.
7. Syed Fareeduddin, S/o. Syed Wajiruddin, Aged 54 yrs, Occu. Teacher, R/o H.No. 1-7-136, Police Line, Mahabubnagar,
8. Syed Shafiuddin, S/o. Syed Saifuddin, Aged 43 yrs, Occu. Business, R/o H.No. 2-8-13, Market Road, Mahabubnagar.
9. Ishratunnisa Begum, D/o Syed Wajiruddin, Aged 60 yrs, Occu. Housewife, R/o H.NO. 1-7-136, Police Line, Mahabubnagar.

**...PETITIONERS**

**AND**

1. The State of Telangana, Rep.by its Principal Secretary, Revenue (Stamps and Registration) Department, Secretariat Buildings, Hyderabad
2. The Sub Registrar, Mahabubnagar District, Mahabubnagar.

**...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 order or direction more particularly in the nature of Writ of

Mandamus, declaring the action of the 2nd Respondent in declaring the land in Sy.No. 55/A/AA admeasuring Ac. 2-03gts and Sy.No. 56 admeasuring Ac. 2-23gts of Petitioner NO.1, the land in Sy.No. 31 admeasuring Ac. 4-32 gts of Petitioner Nos. 2 to 4 and the land in Sy.NO. 27 admeasuring Ac. 5-14gts of Petitioner Nos. 5 to 9 situated at Allipur village, Mahabubnagar Mandal and District as Prohibited property covered by court stay by referring the orders of this Honorable Court made in W.P.No.14089/2021 dt. 22/2/2022 as illegal, arbitrary, and contrary to the provisions of Registration Act, 1908 and consequently direct the Respondent NO.2 to receive, registrar and release Sale Deeds in respect of land in Sy.No. 55/A/AA admeasuring Ac. 2-03gts, Sy.No. 56 admeasuring Ac. 2-23gts, Sy.No. 31 admeasuring Ac. 4-32 gts and Sy.NO. 27 admeasuring Ac. 5-14gts situated at Allipur village, Mahabubnagar Mandal and 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.2 to receive, registrar and release the Sale Deeds sought to be presented by the petitioners in respect land in Sy.No. 55/A/AA admeasuring Ac. 2-03gts and Sy.No. 56 admeasuring Ac. 2-23gts of Petitioner NO.1, the land in Sy.No. 31 admeasuring Ac. 4-32 gts of Petitioner Nos. 2 to 4 and the land in Sy.NO. 27 admeasuring Ac. 5-14gts of Petitioner Nos. 5 to 9 situated at Allipur village, Mahabubnagar Mandal and District.

**Counsel for the Petitioners : SRI. RAJ KUMAR RUDRA**

**Counsel for the Respondents: GP FOR STAMPS AND REGISTRATION**

**The Court made the following: ORDER**

**THE HONOURABLE SRI JUSTICE K. LAKSHMAN**

**WRIT PETITION No.33643 of 2022**

**ORDER:**

Heard Sri Raj Kumar Rudra, learned counsel for the petitioner and the learned Government Pleader for Stamps & Registration.

2. This writ petition is filed to declare the action of the 2<sup>nd</sup> respondent in declaring the land in Sy.No.55/A/AA admeasuring Ac.2-03 gts and Sy.No.56 admeasuring Ac.2-23 gts of petitioner No.1, the land in Sy.No.31 admeasuring Ac.4-32 gts of petitioner Nos.2 to 4 and the land in Sy.No.27 admeasuring Ac.5-14 gts of petitioner Nos.5 to 9 situated at Allipur Village, Manbhuvanagar Mandal and District as prohibited property covered by Court stay by referring the orders this Court made in W.P.No.14089/2021 dated 22.02.2022, as illegal, arbitrary and contrary to the provisions of Registration Act, 1908 and for a consequential direction to respondent No.2 to receive, register and release the sale deeds in respect of the above said subject land.

3. Perusal of the record would reveal that one Mr.Mohd Abdul Qaudeer had filed a writ petition vide W.P.No.14089 of 2021 to declare the action of respondent No.2 therein-Sub-Registrar, Mahbubnagar District in proposing to receive and register the document in respect of the agricultural land in Sy.Nos.1, 16, 27, 29, 30, 31, 33, 34, 35, 40/1, 40/3, 50, 53, 54, 55, 56, 61, 62 and 85 totally admeasuring Ac.196-39 gts situated at Allipur Village, Mahbubnagar Mandal and District.

4. This Court vide order dated 22.02.2022 disposed of the said writ petition permitting the petitioner therein to submit a representation to the 2<sup>nd</sup> respondent therein stating his objections for registration of land which are subject matter of the suit vide O.S.No.47 of 2021. If any documents are presented for registration in respect of aforesaid lands, the Sub-Registrar shall issue notice to the petitioner therein and only after hearing the objections of the petitioner, the Sub-Registrar shall proceed further for registering the documents. Pursuant to the said order, the 2<sup>nd</sup> respondent had issued list of prohibited properties

whercin in respect of Sy.No.31, 55 and 56, it is mentioned about the order in W.P.No.14089 of 2021. Therefore, according to the petitioner, the 2<sup>nd</sup> respondent is not receiving the documents submitted by the petitioner and not entertaining for registration.

5. As stated above, vide aforesaid order dated 22.02.2022 in W.P.No.14089 of 2021, this Court never directed the 2<sup>nd</sup> respondent to include the aforesaid properties in prohibitory list, this Court only permitted the petitioner to submit a representation to the 2<sup>nd</sup> respondent stating his objections and this Court directed the Sub-Registrar to issue notice to the petitioner therein and only after hearing the objections, the Sub-Registrar shall proceed further in registering the documents. Instead of completing the said exercise, the 2<sup>nd</sup> respondent has included the property of the petitioner in the prohibited list. Therefore, the said approach of the 2<sup>nd</sup> respondent is not correct. The inclusion of the properties belonging to the petitioner in prohibitory list is not in accordance with law. Therefore, this writ petition is disposed of directing

the 2<sup>nd</sup> respondent to receive, register and release the documents submitted by the petitioner in respect of land in Sy.No.55/A/AA admeasuring Ac.2-03 gts and Sy.No.56 admeasuring Ac.2-23 gts of petitioner No.1, the land in Sy.No.31 admeasuring Ac.4-32 gts of petitioner Nos.2 to 4 and the land in Sy.No.27 admeasuring Ac.5-14 gts of petitioner Nos.5 to 9 situated at Allipur Village, Manhbubnagar Mandal and District, if the same are otherwise in order. The petitioners shall complete other formalities without reference to prohibited list. No order as to costs.

Miscellaneous petitions, if any, pending, shall stand

SD/- K. ONESIM  
DEPUTY REGISTRAR  
SECTION OFFICER

//TRUE COPY//

To,

1. The Principal Secretary, Revenue (Stamps and Registration) Department, State of Telangana, Secretariat Buildings, Hyderabad
2. The Sub Registrar, Mahabubnagar District, Mahabubnagar.
3. One CC to SRI. RAJ KUMAR RUDRA, Advocate. [OPUC]
4. Two CCs to GP FOR STAMPS AND REGISTRATION, High Court for the State of Telangana at Hyderabad. [OUT]
5. Two CD Copies
6. One Spare Copy

SB  
GJP

HIGH COURT

DATED:26/08/2022

ORDER

WP.No.33643 of 2022



DISPOSING OF THE WRIT PETITION  
WITHOUT COSTS

*[Handwritten signature]*  
02/09/2022