

**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: 31522 OF 2021

Between:

Smt. Pennemetsa Durga Annapurna, W/o P. Venkata Krishna Prasad Varma, Occ. Employee,
R/o H.No.5-172, Brahmana Veedhi, Ganti, Kothapeta, Gopalapuram, East Godavari District,
Andhra Pradesh State-533274.

...Petitioner

AND

1. The State of Telangana, Rep. by its Principal Secretary, Stamps and Registration Department, Secretariat, Hyderabad, Telangana State-500 004.
2. The Commissioner and Inspector General of Registration and Stamps, Telangana State.
3. The Sub-Registrar, Quthubullapur, Medchal-Malkajgiri District, Telangana State.

...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 of Mandamus or any other appropriate Writ, Order or direction particularly one in the nature of Writ of Mandamus, declaring the in action of the 3rd respondent in not receiving, registering and releasing the petitioner sale deed in respect of semi-finished Flat No.402 (in Fourth Floor), with built up area 1140 Sq.ft (including common area) and 80 Sq.ft Car Parking, along with an UDS 24.27 Sq.yds (out of 534 Sq.yds) on Open Plot No.473 and 318, in Sy.No.21/A of "SRI VENKATADRI RESIDENCY" Situated at Mallampet Village, Dungal-Gandimaisamma Mandal, (Under Dundigal Municipality), Medchal-Malkajgiri District, on the basis of Memo No.G2/257/2019 issued by the 2nd respondent, as illegal, unjust and arbitrary, consequently Direct the 3rd respondent to receive, register and release the Sale Deed presented by the petitioner in respect of semi-finished Flat No.402 (in Fourth Floor), with built up area 1140 Sq.ft (including common area) and 80 Sq.ft Car Parking, along with an UDS 24.27 Sq.yds (out of 534 Sq.yds) on Open Plot No.473 and 318, in Sy.No.21/A of "SRI VENKATADRI RESIDENCY" Situated at Mallampet Village, Dungal-Gandimaisamma Mandal, (tinder Dundigal Municipality), Medchal-Malkajgiri District, without reference to the Memo No.G2/257/2019 dated 26/08/2020 issued by the 2nd respondent, as directed in W.P.No.9248/2021, in the interest of justice;

LA NO: 1 OF 2021

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 3rd respondent to receive, register and release the Sale Deed presented by the petitioner in respect of semi-finished Flat No.402 (in Fourth Floor), with built up area 1140 Sq.ft

(including common area) and 80 Sq.ft Car Parking, along with an UDS 24.27 Sq.yds (out of 534 Sq.yds) on Open Plot No.473 and 318, in Sy.No.21/A of "SRI VENKATADRI RESIDENCY" Situated at Mallampet Village, Dungigal-Gandimaisamma Mandal, (Under Dundigal Municipality), Medchal-Malkajgiri District, without reference to the Memo No.G2/257/2019 dated 26/08/2020 issued by the 2nd respondent, as directed in W.P.No.9248/2021;

Counsel for the Petitioner: **SRI. P VENKANNA**

Counsel for the Respondents: **ASST. GP FOR REVENUE**

**The Court made the following
ORDER:**

HONOURABLE SRI JUSTICE B. VIJAYSEN REDDY

WRIT PETITION No.31522 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. VENKAIAH
ASSISTANT REGISTRAR

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SECTION OFFICER

1. The Principal Secretary, Stamps and Registration Department, State of Telangana, Secretariat, Hyderabad, Telangana State-500 004.
2. The Commissioner and Inspector General of Registration and Stamps, Telangana State.
3. The Sub-Registrar, Quthubullapur, Medchal-Malkajgiri District, Telangana State.
4. One CC to Sri P Venkanna Advocate [OPUC]
5. Two CC to GP for Revenue, High Court for the State of Telangana. [OUT]
6. Two CD copies

HIGH COURT

BVRJ

DATED:17/03/2022



ORDER

WP.No.31522 of 2021

WRIT PETITION IS DISPOSED OF WITHOUT COSTS

9 copies
NPTJ.