

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
TUESDAY, THE SIXTH DAY OF SEPTEMBER TWO THOUSAND AND TWENTY
TWO

:PRESENT:
THE HONOURABLE SRI JUSTICE A.ABHISHEK REDDY

IA No. 1 OF 2022
IN
WP NO: 34838 OF 2022

Between:

Zaibunnisa, W/o. Shaik Zainuddin.

...Petitioner
(Petitioner in WP 34838 OF 2022
on the file of High Court)

AND

1. The State of Telangana, Represented by its Principal Secretary, Stamps and Registrations Department, Secretariat, Hyderabad.
2. The Sub-Registrar, Malkajigiri, Medchal-Malkajigiri District.
3. The Telangana State Wakf Board, Represented by its Chief Executive Officer, Huz House, Nampally, Hyderabad.

...Respondents
(Respondents in-do-)

Counsel for the Petitioner : Sri SURYA BALU MAHENDRA
Counsel for the Respondent Nos.1 & 2 : GP FOR STAMPS AND
REGISTRATION

Counsel for the Respondent No.3 : Sri Abu Akram.

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, process, register and release the document that may be presented by the Petitioner in respect of the residential House bearing No. 43-457/38/8, on Plot No. 25, in Sy. No. 418, 419, 420, admeasuring to an extent of 80 Sq. Yards, situated at RTC Colony, Moula Ali, Malkajigiri Circle and Mandal, Medchal-Malkajigiri District, pending disposal of WP No. 34838 of 2022, on the file of the High Court.

The court while directing issue of notice to the Respondents herein to show cause as to why this application should not be complied with, made the following. (The receipt of this order will be deemed to be the receipt of notice in the case).

ORDER:

Learned counsel for the petitioner submits that in similar circumstances, this Court granted interim order in I.A.No.1 of 2020 in W.P.No.12086 of 2020 on 28.08.2020 and the same is not disputed by the learned Assistant Government Pleader for Revenue.

In view of the same, there shall be an interim direction to the respondent No.2 – Sub Registrar, Malkajgiri, to receive, process, register and release the document submitted by the petitioner, if it is otherwise found to be in compliance with the provisions of the Registration Act, 1908 and the Indian Stamp Act, 1899.

However, it is made clear that the registration of the document shall be subject to the final result of the writ petition. The registration is a provisional one and mere registration of the document does not confer title to the petitioner in respect of the subject property. It is made clear that the petitioner shall not claim any equities in case any adverse orders are passed against her.

Registry shall make an endorsement on the writ petition to the effect that the same shall not be permitted to be withdrawn.

//TRUE COPY//

SD/- P. PADMANABHA REDDY
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary, Stamps and Registrations Department, State of Telangana, Secretariat, Hyderabad.
2. The Sub-Registrar, Malkajgiri, Medchal-Malkajgiri District.
3. The Chief Executive Officer, Telangana State Wakf Board, Huz House, Nampally, Hyderabad. (1 to 3 By RPAD)
4. The Section Officer, Writ (non service) Section, High Court at Hyderabad.
5. One CC to SRI SURYA BALU MAHENDRA Advocate [OPUC]
6. Two CCs to GP FOR STAMPS AND REGISTRATION, High Court at Hyderabad. [OUT]
7. One spare copy

mvj

HIGH COURT

AAR,J

DATED:06/09/2022

ORDER

I.A.NO.1 OF 2022
IN
WP.No.34838 of 2022

DIRECTION

