

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

WEDNESDAY, THE SEVENTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY TWO

PRESENT

THE HONOURABLE SRI JUSTICE MUMMINENI SUDHEER KUMAR

WRIT PETITION NO: 43935 OF 2022

Between:

Jada Ravi Kumar, S/o. Venkanna, Aged about 38 years, Occ. Employee, R/o. Flat No. 502, H.No.25-40/91/F-502, 5th floor, Dharani Residency, East Anandbagh, Malkajigiri, Hyderabad.

...PETITIONER

AND

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

...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 order or direction more particularly in the nature writ of mandamus declare the in action of the Respondents 2nd not receiving the document presented by the petitioner for the Residential property House bearing Flat No. 502 in 5th floor of DHARANI RESIDENCY bearing M.No. 25-40/91/F502, PTI No. 1170667498 on Plot Nos. 45 and 45-A in survey No. 582 to an extent of Undivided Share of Land 20.00 sq.yards or 16.72 sq.mtrs out of 411 sq.yards or 343.59 sq.mtrs, in survey Nos. 496 with a plinth area of 950 sq.ft RCC including all common areas situated at East Anandbagh, Malkajigiri, under GHMC Malkajigiri Mandal, Malkajigiri/Medchal district then Ranga Reddy district is illegal, arbitrary and against to the provisions of law and contrary rights guaranteed under 300 -A of Constitutional of India and consequently direct the 2nd Respondent to entertain the registration of the sale deed, to receive, process, register and release the sale deed presented by the petitioner without insisting no-objection certificate (NOC) from the 3rd 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 petition, the High Court may be pleased to direct the Respondent No.2nd herein to consider documents filed by the petitioner herein for the Residential property House bearing Flat No. 502 in 5th floor of DHARANI RESIDENCY bearing M.No. 25-40/91/F502, PTI No. 1170667498 on Plot Nos. 45 and 45-A in survey No.582 to an extent of Undivided Share of Land 20.00 sq.yards or 16.72 sq.mtrs out of 411 sq.yards or 343.59 sq.mtrs, in survey Nos. 496 with a plinth area of 950 sq.ft RCC including all common areas situated at East Anandbagh, Malkajigiri, under GHMC Malkajigiri Mandal, Malkajigiri/Medchal district then Ranga Reddy District in favour of the Vendee.

Counsel for the Petitioner :SRI DANTU VENKATA RAMANA SARMA

**Counsel for the Respondent Nos 1 & 2: AGP FOR STAMPS AND
REGISTRATION**

Counsel for the Respondent No.3: SRI ABUL AKRAM, SC FOR WAQF BOARD

The Court made the following: ORDER

Splice

THE HON'BLE SRI JUSTICE MUMMINENI SUDHEER KUMAR

WRIT PETITION No.43935 of 2022

ORDER:

Heard learned counsel appearing for the petitioner, learned Assistant Government Pleader for Stamps and Registration and Sri Abu Akram, learned Standing Counsel for Waqf Board.

2. Learned counsel appearing for the petitioner as well as learned Standing Counsel appearing for the Waqf Board would submit that the issue involved in this writ petition is squarely covered by the common order passed by this Court in W.P.No.39286 of 2022 and batch, dated 28.10.2022.

3. Following the said common order, dated 28.10.2022, and for the reasons alike in the said common order, this Writ Petition is also disposed of directing the respondent - Sub Registrar to receive, process, register and release the subject document that may be presented by the petitioner for registration in respect of the residential house property bearing Flat No.502 in 5th Floor of Dharani Residency bearing M.No.25-40/91/F502, PTI No.1170667498 on Plot Nos.45 and 45-A in Survey No.582 to an extent of undivided share of land admeasuring 20.00 sq. yards or 16.72 sq. meters out of 411 sq. yards or 343.59 sq. meters in

Survey No.496 with plinth area of 950 sq. feet RCC including all common areas situated at East Anandbagh, Malkajgiri, under GHMC Malkajgiri Mandal, Medchal Malkajgiri District, without reference to the Gazette Notification No.6-A, published in A.P. Gazette Part-II, dated 09.02.1989 and Notification No.27-A, published in A.P. Gazette, Part-II, dated 01.07.2004, subject to petitioner satisfying with the other requirements, as contemplated under the Registration Act, 1908 and the Indian Stamp Act, 1899. If the respondent-Waqf Board has got any claim on the subject property, it is open for Waqf Board to pursue such rights, in accordance with law. There shall be no order as to costs.

Miscellaneous Petitions, if any, pending in this writ petition shall stand closed.

//TRUE COPY//

SD/- T.SRINIVAS
DEPUTY REGISTRAR
SECTION OFFICER

To,

1. The State of Telangana, Represented by its Principal Secretary (Stamps and Registrations), Secretariat, Hyderabad.
2. The Sub-Registrar, Malkajgiri, Malkajgiri/Medchal District.
3. The Telangana state Wakf Board, Rep. By its Chief Executive Officer, Huz House, Nampally, Hyderabad.
4. One CC to Sri Abu Akram, SC for Waqf Board.
5. One CC to SRI. DANTU VENKATA RAMANA SARMA, Advocate [OPUC]
6. Two CCs to AGP FOR STAMPS AND REGISTRATION, High Court for the State of Telangana. [OUT]
7. Two CD Copies

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SK

HIGH COURT

DATED:07/12/2022

ORDER

WP.No.43935 of 2022



DISPOSING OF THE
WRIT PETITION

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[Signature]
23/12/2022