

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

WEDNESDAY, THE EIGHTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY THREE

PRESENT

THE HONOURABLE SRI JUSTICE MUMMINENI SUDHEER KUMAR

WRIT PETITION NO: 2062 OF 2023

Between:

Sanugommula Tirupathi Reddy, S/o.Late.S.Simha Reddy Age. 43 Yrs, Occ. Business, R/o. H. No. 8-5-283/42, and 43, Madhava Nagar Colony Karmanghat, Saroor Nagar, Rangareddy District.

...PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary, Revenue Department, Secretariat, Hyderabad.
2. The Director General, Stamps and Registrations Department, Hyderabad.
3. The District Registrar, Rangareddy District.
4. The Sub-Registrar, Vanasthalipuram, Rangareddy District.

...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 any order or direction writ or writs more particularly on in the nature of WRIT OF MANDAMUS, declaring the action of 4th respondent in not receiving the sale deed in respect of Plot No. 96 in Sy. No. 526, Neeladri Township, Ragannaguda, Abdullapurmet Mandal, Rangareddy District, presented by petitioner for Registration for insisting for No Objection certificate from Revenue Department even after authorities declared the said land as Non-Surplus land is illegal, arbitrary, and consequently to direct the 4th respondent to receive the sale deed filed by the Petitioner and Register and release the same to the Petitioner without insisting No Objection Certificate from Revenue Department in Respect of the Plot bearing No. 96 southern plot admeasuring 300 Sq. Yds., equallent to 252.8 sq.meters, Neeladri Township, in Sy. No. 526 of Ragannaguda Village, H/o.Turkayamjal Village, Abdullapurmet Revenue Mandal (Previously Hayathnagar Revenue Mandal), Rangareddy District

IA NO: 1 OF 2023

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 4th respondent to receive the sale deed filed by the Petitioner and Register and release the same to the Petitioner without insisting No Objection Certificate from Revenue Department in Respect of the Plot bearing No. 96 southern plot admeasuring 300 Sq. Yards., Neeladri Township, in Sy. No. 526 of Ragannaguda Village, H/o. Turkayamjal Village, Abdullapurmet Revenue Mandal, Rangareddy District, pending disposal of the writ petition

Counsel for the Petitioner: SRI. D. Y. L. N. CHARYULU

Counsel for the Respondents: GP FOR REVENUE

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE MUMMINENI SUDHEER KUMAR

WRIT PETITION No.2062 of 2023

ORDER:

Heard learned counsel for the petitioner and learned Assistant Government Pleader for Revenue appearing for the respondents.

2. This Writ Petition is filed seeking a writ of Mandamus to declare the action of respondent No.4 in not receiving the sale deed presented by the petitioner for registration in respect of plot No.96 in Survey No.526, Neeladri Township, Ragannaguda, Abdullapurmet Mandal, Ranga Reddy District, as arbitrary and illegal.

3. From the perusal of the averments made in the affidavit filed in support of the writ petition, it shows that the petitioner herein on an earlier occasion approached this Court by filing W.P.No.38344 of 2022 and this Court by an order, dated 13.10.2022 disposed of the said writ petition directing respondent No.4 to receive and process the document in question. But, respondent No.4 refused to receive and process the document, in spite of the order passed by this Court in the aforesaid writ petition. Hence, the petitioner once again approached this Court by filing the present writ petition with almost identical prayer as sought in the aforesaid writ petition. If at all, the order passed by this Court in

the aforesaid writ petition is not complied with by respondent No.4, it is for the petitioner to take appropriate steps either by filing Contempt Case or otherwise. Under no circumstances, a fresh writ petition can be filed for the similar relief. Hence, the writ petition is not maintainable. However, this Court called for instructions from respondent No.4 to verify as to why respondent No.4 is not receiving the document.

4. From the instructions furnished by respondent No.4 through learned Assistant Government Pleader for Stamps and Registration, it is seen that the petitioner herein never presented any document for registration in respect of the subject property.

5. In the circumstances, this Court does not find any merit in the writ petition and accordingly, the Writ Petition is dismissed leaving it open to the petitioner to present a document before respondent No.4 or to take steps for alleged violation of the order passed in W.P.No.38355 of 2022, in accordance with law.

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

//TRUE COPY//

SD/-A.V.S. PRASAD
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. Two CCs to GP FOR REVENUE, High Court for the State of Telangana., at Hyderabad [OUT]
2. One CC to SRI. D. Y. L. N. CHARYULU, Advocate [OPUC]
3. Two CD copies

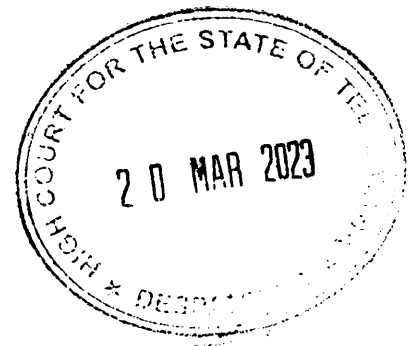
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BS

HIGH COURT

DATED:08/02/2023

ORDER

WP.No.2062 of 2023



**DISMISSING THE WRIT PETITION
WITHOUT COSTS**

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9/3/23