

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

(Special Original Jurisdiction)

TUESDAY, THE SEVENTH DAY OF FEBRUARY

TWO THOUSAND AND TWENTY THREE

PRESENT

THE HONOURABLE SRI JUSTICE MUMMINENI SUDHEER KUMAR

WRIT PETITION NO: 15211 OF 2022

Between:

Ch. Shyamsunder Reddy, S/o Late Yella Reddy, Occ. Business, R/o Plot No.6/P, HMT Shatavahana Nagar, Kukatpally, Hyderabad, Telangana State.

...PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary, Revenue Department, Secretariat Buildings, Hyderabad.
2. The Commissioner and Inspector General of Stamps and Registration, Mojamjahi Market, Hyderabad.
3. The Sub-Registrar, Balanagar, Medchal-Malkajgiri 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 an appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus or any other appropriate Writ or Writs, Order or Direction, declaring the action of the 3rd Respondent in registering document presented by me in respect of 1/4th undivided ownership and possession of the premises bearing door no.5-9-286/2/59 and 60 of plot bearing nos.59 and 60 in a total extent of 1728sq.yds., in Sy.Nos.196, 197, 198 and 201 of Moosapet village, Kukatpally Mandal and GHMC Circle, Medchal-Malkajgiri District as pending document by assigning pending document no.P7 of 2022 instead of registering the same as regular document by assigning regular registration number and also detaining the document so registered as pending document as arbitrary, illegal, without jurisdiction and contrary to the provisions of Registration Act, 1908 and in violation of the Article 14 of the Constitution of India and consequently to direct Respondent no.3 herein to forthwith release the sale deed presented by me and registered as pending document bearing number P7 by 2022 by registering the same as regular registered document by assigning regular registration number for the same;

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 directions to the 3rd Respondent to forthwith release the sale deed presented by me and which was registered on 31-01-2022 as pending document bearing no.P7/2022 by registering the same as regular registered document by assigning regular registration number for the same. Award costs

Counsel for the Petitioner : SRI. PASHAM RAVINDRA REDDY

Counsel for the Respondents: AGP FOR STAMPS AND REGISTRATION (TG)

The Court made the following:

THE HON'BLE SRI JUSTICE MUMMINENI SUDHEER KUMAR

WRIT PETITION No.15211 of 2022

ORDER:

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

2. This writ petition is filed questioning the action of respondent No.3 in not registering the sale deed dated 31.01.2022 in respect of the subject property by assigning pending document No.7 of 2022, as illegal and arbitrary.

3. When the matter is taken up for consideration, learned Assistant Government Pleader for Stamps and Registration placed before this Court the written instructions received from respondent No.3. A perusal of the said written instructions shows that the pending document No.7 of 2022 is already registered as document No.5371 of 2022 on 19.11.2022.

4. In view of the same, the cause in the writ petition does not survive for adjudication and no orders need be passed in this writ petition.

5. However, as it is submitted by learned counsel for the petitioner that the said registered document is not released in favour of the petitioner, respondent No.3 is directed to release the said document in favour of the petitioner, if the same is not already released.

6. The writ petition is accordingly disposed of. There shall be no order as to costs.

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

SD/- MOHD. SANAULLAH ANSARI
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Principal Secretary, Revenue Department, Secretariat Buildings, Hyderabad, State of Telangana.
2. The Commissioner and Inspector General of Stamps and Registration, Mojamjahi Market, Hyderabad.
3. The Sub-Registrar, Balanagar, Medchal-Malkajgiri District.
4. One CC to SRI PASHAM RAVINDRA REDDY Advocate [OPUC]
5. Two CCs to GP FOR STAMPS AND REGISTRATION, High Court for the State of Telangana, Hyderabad. [OUT]
6. Two CD Copies

HIGH COURT

MSK, J

DATED: 07/02/2023



ORDER

WP.No.15211 of 2022

**WRIT PETITION IS DISPOSED
OF WITHOUT COSTS**