

(SHOW CAUSE NOTICE BEFORE ADMISSION)
HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
(Special Original Jurisdiction)

MONDAY, THE EIGHTH DAY OF JANUARY
TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HONOURABLE SRI JUSTICE C.V. BHASKAR REDDY
WRIT PETITION NO: 484 OF 2024

Between:

M/s. Hira Multi Construction Ventures Private Limited, (Formerly known as Ms. Hira Management Consultants Private Limited), CIN: U45209TG1 998PTCO29125, Regd. Office: 3-5-784/2, King Kothi 'X' Road, Hyderabad, Telangana – 500029, Represented by its Director and Authorized Persons Mr. Yahiya Khan, S/o. late Mohammed Khan, Aged about 52 years, Occ: Business, Res. 21-4-46/47, Hussaini Alam, Opp: Kaman, Hyderabad.

...Petitioner

AND

1. State of Telangana, Revenue (Stamps and Registration) Department, Rep by its Principal Secretary, Secretariat, Hyderabad.
2. The District Collector, Hyderabad, Telangana.
3. The Commissioner and Inspector General of Registration and Stamps, M.J., Market, Telangana, Hyderabad.
4. The District Registrar, Vikarabad District, Telangana.
5. The Joint Sub-Registrar, Parigi Mandal, Vikarabad District, Telangana.
6. Ms. Kancharla Constructions Private Limited, Rep. by its Director, Mr. K. Prithvi Reddy, Situated at Maas Heights, 3rd Floor Road No.18, Banjara Hills Hyderabad.
7. Mr. Pula Praveen Kumar, S/o. Pula Govinda Rama Rao Add: R/o. 8-2-293/82/58, Nandagiri Hills Layout, Jubilee Hills, Shaikpet, Hyderabad – 500033.
8. Mr. Machidy Santhosh Kumar, S/o. Machidy Raja Mallu, R/o. 6-75, Begumpet, Karimnagar, Telangana – 505212.
9. Mr. Machidi Vimal Kumar, S/o. M. Raja Mallu, R/o. 1-19-86/114, Ashok Enclave, Telangana Deccan, Grameena Bank, Kapra, Secunderabad, Hyderabad, Telangana – 500062.
10. Mrs. Machidi Sumalatha, W/o. Mr. Machidi Vimal Kumar, R/o. 1-19-86/114, Ashok Enclave, Telangana Deccan. Grameena Bank, Kapra, Secunderabad. Hyderabad, TS – 500062.
11. Mr. Sachin Chadha, S/o. Lalit Kumar Chadha, R/o. Flat No. 201. Sierra, I-Block, Rajapushpa Atria, Opp: Ratnadeep, Hyderabad, Kokapet, R.R District TS – 500075.

12. Mrs. Rohini Sabnani, W/o. Mr. Sachin Chadha, R/o. Flat No. 201, Sierra, I - Block, Rajapushpa Atria, Opp Ratnadeep. Hyderabad, Kokapet, R.R District TS – 500075.
13. Mr. Vikas Dargan, S/o. Madan Mohan Dargan, R/o. B-3/11-A, Lawrence Road, Keshavpuram, Onkar Nagar, S.O North West Delhi. Delhi – 110035.
14. Mrs. Rupneet Dargan, W/o. Mr. Vikas Dargan, R/o. B-3/11-A, Lawrence Road, Keshavpuram, Onkar Nagar, S.O North West Delhi, Delhi – 110035.
15. Mr. Kolli Anil Chowdary, S/o. Mr. Kolli Mahendra Chowdary, R/o. A-212, Jayabheri Orange County, Financial District. Nanakramguda, Gachibowli, R.R. District, Telangana – 500032.
16. Mrs. Kolli Padma, W/o. Mr. Anil Chowdary, R/o. A-212, Jayabheri Orange County, Financial District, Nanakramguda, Gachibowli, R.R. District. Telangana – 500032.
17. Mr. Anil Kumar, S/o. Mr. Shyam Lal, R/o. B-14, Senior Police Officers Quarters. Pleasant Valley, Jubilee Hills, Road No.10-C, Hyderabad.
18. Mirza Yahya Baig, S/o. Mirza Firasath Baig, R/o. H.No.8-3-833/215, Kamalapuri Colony, Phase-2, Yousufguda, Hyderabad.
19. Mr. Bandu Sudhakar, S/o. Sri Bandu Narsihulu Naidu, Aged 61 yrs, R/o. H.No.8-3-318/11, Flat Number-302, Sri Usha Durga Nilayam, Yellareddy Guda, Khairtabad, Hyderabad.
20. Mr. Kilaru Ramesh Babu, S/o. Kilaru Ramalingaiah, R/o. H.No.6-3-661/B/2, Plot No.78, Sangeeth Nagar, Somajiguda, Hyderabad – 500082, Telangana.
21. Mrs. Roopa Bhupatiraju, W/o. Subbaraju Bhupatiraju, D/o. Kalidindi Ravi, R/o. H.No.12-13-677/88, Plot No.150, NCL Enclave, Suchitra Junction, Hyderabad.
22. Mr. Kaza Saraswati, W/o. Mr. K.V. Ramnababu, Aged 55 years, R/o. Teja, 111, My Home Nava Dweepa, Madhapur Near Hi-Tech City, Hyderabad – 500081.
23. Mr. Akshan Ugale, S/o. Mr. Surendra Ugale, Aged 55 years, R/o. 5-9-47/4, Bashir Bagh, Palace Colony, Himayath Nagar, Hyderabad, Telangana – 500063.
24. M/s. Greenscape Mega Resorts Private Limited, Represented by its Managing Director, Having registered office at 2-42, Gandipet, Rangareddy District, Telangana – 500075.
25. Mr. Mirza Firasath Baig, S/o. Mirza Rafat Baig, Aged About 65 years, R/o. H.No.8-3-833/215, Kamalapuri Colony, Phase-2, Yousufguda, Hyderabad.
26. Ms. Anjali Surendra Joshi, D/o. Mr. Surendra Joshi, R/o. 8-2-416, Flat No.AS-7, Banjara Hills Road No.4 Stone Valley Apartment, Hyderabad, Telangana – 500034.
27. Ms. Priyamvada Anjali Joshi, D/o. Anjali Surendra Joshi, R/o. 8-2-416, Flat No.AS-7, Banjara Hills Road No.4, Stone Valley Apartment, Hyderabad, Telangana – 500034.

...Respondents

WHEREAS the Petitioner above named through its Advocate M/s. K. KIRAN KUMAR presented this 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 declaring the action of the 5h Respondent in registering the Sale Deeds mentioned in Annexure A presented by Respondent No. 6 in favour of Respondent No. 7 to 27 in respect of land measuring to Ac. 63.30 gts in and out of Sy Nos. 80P, 90. 40 situated at Manneguda Village, Pudur Mandal, Vikarabad District and Sy Nos. 87, 88 situated at Yenkapally Village, Pudur Mandal. Vikarabad District, as illegal, arbitrary and contrary to the temporary injunction award orders dated 20/07/2022 passed by the Honourable Sole Arbitrator Justice (Retd.) Vilas V Afzulpurkar and contrary to Board Standing Order-219(b)(3) and circular memo dated 10/03/2010 issued by Commissioner and Inspector General of Registration and Stamps and Stamps and also violative of Articles 14, 21 and 300A of the Constitution of India and consequently set-aside the conveyance deeds mentioned in Annexure A and pass

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri D.V.Sitaram Murthy, Senior Counsel representing M/s. K. KIRAN KUMAR Advocate for the Petitioner and the learned Assistant Government Pleader for Stamps and Registration, who takes notice for respondent Nos.1 to 5, directed issue of notice to the Respondents herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. The Principal Secretary, Revenue (Stamps and Registration) Department, State of Telangana, Secretariat, Hyderabad.
2. The District Collector, Hyderabad, Telangana.
3. The Commissioner and Inspector General of Registration and Stamps, M.J., Market, Telangana, Hyderabad.
4. The District Registrar, Vikarabad District, Telangana.
5. The Joint Sub-Registrar, Parigi Mandal, Vikarabad District, Telangana.
6. Mr. K. Prithvi Reddy Director, Ms. Kancharla Constructions Private Limited, Situated at Maas Heights, 3rd Floor Road No.18, Banjara Hills Hyderabad.
7. Mr. Pula Praveen Kumar, S/o. Pula Govinda Rama Rao Add: R/o. 8-2-293/82/58, Nandagiri Hills Layout, Jubilee Hills, Shaikpet, Hyderabad – 500033.
8. Mr. Machidy Santhosh Kumar, S/o. Machidy Raja Mallu, R/o. 6-75, Begumpet, Karimnagar, Telangana – 505212.
9. Mr. Machidi Vimal Kumar, S/o. M. Raja Mallu, R/o. 1-19-86/114, Ashok Enclave, Telangana Deccan, Grameena Bank, Kapra, Secunderabad, Hyderabad, Telangana – 500062.
10. Mrs. Machidi Sumalatha, W/o. Mr. Machidi Vimal Kumar, R/o. 1-19-86/114, Ashok Enclave, Telangana Deccan. Grameena Bank, Kapra, Secunderabad. Hyderabad, TS – 500062.

11. Mr. Sachin Chadha, S/o. Lalit Kumar Chadha, R/o. Flat No. 201, Sierra, I-Block, Rajapushpa Atria, Opp: Ratnadeep, Hyderabad, Kokapet, R.R District TS – 500075.
12. Mrs. Rohini Sabnani, W/o. Mr. Sachin Chadha, R/o. Flat No. 201, Sierra, I - Block, Rajapushpa Atria, Opp Ratnadeep. Hyderabad, Kokapet, R.R District TS – 500075.
13. Mr. Vikas Dargan, S/o. Madan Mohan Dargan, R/o. B-3/11-A, Lawrence Road, Keshavpuram, Onkar Nagar, S.O North West Delhi. Delhi – 110035.
14. Mrs. Rupneet Dargan, W/o. Mr. Vikas Dargan, R/o. B-3/11-A, Lawrence Road, Keshavpuram, Onkar Nagar, S.O North West Delhi, Delhi – 110035.
15. Mr. Kolli Anil Chowdary, S/o. Mr. Kolli Mahendra Chowdary, R/o. A-212, Jayabheri Orange County, Financial District. Nanakramguda, Gachibowli, R.R. District, Telangana – 500032.
16. Mrs. Kolli Padma, W/o. Mr. Anil Chowdary, R/o. A-212, Jayabheri Orange County, Financial District, Nanakramguda, Gachibowli, R.R. District. Telangana – 500032.
17. Mr. Anil Kumar, S/o. Mr. Shyam Lal, R/o. B-14, Senior Police Officers Quarters. Pleasant Valley, Jubilee Hills, Road No.10-C, Hyderabad.
18. Mirza Yahya Baig, S/o. Mirza Firasath Baig, R/o. H.No.8-3-833/215, Kamalapuri Colony, Phase-2, Yousufguda, Hyderabad.
19. Mr. Bandu Sudhakar, S/o. Sri Bandu Narsihulu Naidu, Aged 61 yrs, R/o. H.No.8-3-318/11, Flat Number-302, Sri Usha Durga Nilayam, Yellareddy Guda, Khairtabad, Hyderabad.
20. Mr. Kilaru Ramesh Babu, S/o. Kilaru Ramalingaiah, R/o. H.No.6-3-661/B/2, Plot No.78, Sangeeth Nagar, Somajiguda, Hyderabad – 500082, Telangana.
21. Mrs. Roopa Bhupatiraju, W/o. Subbaraju Bhupatiraju, D/o. Kalidindi Ravi, R/o. H.No.12-13-677/88, Plot No.150, NCL Enclave, Suchitra Junction, Hyderabad.
22. Mr. Kaza Saraswati, W/o. Mr. K.V. Ramnababu, Aged 55 years, R/o. Teja, 111, My Home Nava Dweepa, Madhapur Near Hi-Tech City, Hyderabad – 500081.
23. Mr. Akshan Ugale, S/o. Mr. Surendra Ugale, Aged 55 years, R/o. 5-9-47/4, Bashir Bagh, Palace Colony, Himayath Nagar, Hyderabad, Telangana – 500063.
24. The Managing Director, M/s. Greenscape Mega Resorts Private Limited, Having registered office at 2-42, Gandipet, Rangareddy District, Telangana – 500075.
25. Mr. Mirza Firasath Baig, S/o. Mirza Rafat Baig, Aged About 65 years, R/o. H.No.8-3-833/215, Kamalapuri Colony, Phase-2, Yousufguda, Hyderabad.
26. Ms. Anjali Surendra Joshi, D/o. Mr. Surendra Joshi, R/o. 8-2-416, Flat No.AS-7, Banjara Hills Road No.4 Stone Valley Apartment, Hyderabad, Telangana – 500034.

27. Ms. Priyamvada Anjali Joshi, D/o. Anjali Surendra Joshi, R/o. 8-2-416, Flat No.AS-7, Banjara Hills Road No.4, Stone Valley Apartment, Hyderabad, Telangana – 500034.

are directed to show cause on or before 19-02-2024 to which date the case stands posted as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted.

IA NO: 1 OF 2024

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 Respondent Nos.7 to 27 not to alter the nature of land admeasuring Ac. 63.30 gts in and out of Sy.Nos.80P, 90, 40 situated at Manneguda Village, Pudur Mandal, Vikarabad District and Sy.Nos.87, 88 situated at Yenkapally Village, Pudur Mandal, Vikarabad District and Sy.Nos.87, 88 situated at Yenkapally Village, Pudur Mandal, Vikarabad District, pending disposal of WP.No.484 of 2024, on the file of the High Court.

IA NO: 2 OF 2024

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 Respondent No.5 not to entertain conveyance deeds in respect of land admeasuring Ac. 63.30 gts in and out of Sy.Nos.80P, 90, 40 situated at Manneguda Village, Pudur Mandal, Vikarabad District and Sy.Nos.87, 88 situated at Yenkapally Village, Pudur Mandal, Vikarabad District, pending disposal of WP.No.484 of 2024, on the file of the High Court.

THE COURT MADE THE FOLLOWING ORDER:

Notice before admission.

Learned Assistant Government Pleader for Stamps and Registration takes notice for respondent Nos.1 to 5 and seeks time to file counter-affidavit.

Learned counsel for the petitioner is permitted to take out personal notice to respondent Nos.6 to 27 by 'RPAD' and file proof of service in the Registry by the next date of hearing.

The petitioner is a company, represented by its Director and Authorized person Mr.Yahiya Khan. The petitioner-company claims to be the absolute owner and possessor of Acs.63-30 guntas of land in and out of Survey Nos.80P, 90, 40 situated at Manneguda Village, Pudur Mandal, Vikarabad District and Survey Nos.87 and 88, situated at Yenkapally Village, Pudur Mandal, Vikarabad District, having purchased the same under different registered Sale Deeds. The case of the petitioner is that respondent No.6

approached the petitioner-company to develop the aforesaid property into Golf Residential Gated Community and accordingly, the petitioner entered into a Development Agreement-cum-General Power of Attorney with respondent No.6, vide document No.3600/2016, dated 29.04.2016 in respect of aforesaid property. Thereafter, disputes arose between the parties and respondent No.24 filed C.P.No.184 of 2020 before the National Company Law Tribunal, Hyderabad Bench, seeking to cancel the sale deed executed by it in favour of petitioner-company and its Directors. The National Company Law Tribunal allowed the said application *vide* order, dated 21.06.2023 and aggrieved by the said order, an appeal was filed under Section 421 of the Companies Act before NCLAT, Chennai, which in turn stayed the order, dated 21.06.2023 passed by the National Company Law Tribunal.

Sri D.V.Sitaram Murthy, learned Senior Counsel representing Sri K.Kiran Kunar, learned counsel for the petitioner would submit that when there were disputes with regard to the subject property, the same was referred to arbitral Tribunal and the arbitral Tribunal granted injunction not to alienate the subject property. Learned Senior Counsel would further submit that pending finalization of the arbitral proceedings and in spite of the restraint order not to alienate the subject property, the unofficial respondents are taking steps to alienate the subject property.

In view of the above submissions, pending disposal of the arbitral proceedings, it is directed that respondent No.5 shall not entertain any conveyance deeds in respect of the lands admeasuring Ac.63.30 gts in and out of Sy.Nos.80P, 90, 40 situated at Mannegua Village, Pudur Mandal, Vikarabad District and Sy.Nos.87, 88 situated at Yenkapally Village, Pudur Mandal, Vikarabad District.

List on 19.02.2024.

//TRUE COPY//

 SD/-MD.ISMAIL
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary, Revenue (Stamps and Registration) Department, State of Telangana, Secretariat, Hyderabad.
2. The District Collector, Hyderabad, Telangana.
3. The Commissioner and Inspector General of Registration and Stamps, M.J., Market, Telangana, Hyderabad.
4. The District Registrar, Vikarabad District, Telangana.
5. The Joint Sub-Registrar, Parigi Mandal, Vikarabad District, Telangana.
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14. Mrs. Rupneet Dargan, W/o. Mr. Vikas Dargan, R/o. B-3/11-A, Lawrence Road, Keshavpuram, Onkar Nagar, S.O North West Delhi, Delhi – 110035.
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16. Mrs. Kolli Padma, W/o. Mr. Anil Chowdary, R/o. A-212, Jayabheri Orange County, Financial District, Nanakramguda, Gachibowli, R.R. District. Telangana – 500032.
17. Mr. Anil Kumar, S/o. Mr. Shyam Lal, R/o. B-14, Senior Police Officers Quarters. Pleasant Valley, Jubilee Hills, Road No.10-C, Hyderabad.
18. Mirza Yahya Baig, S/o. Mirza Firasath Baig, R/o. H.No.8-3-833/215, Kamalapuri Colony, Phase-2, Yousufguda, Hyderabad.

19. Mr. Bandu Sudhakar, S/o. Sri Bandu Narsihulu Naidu, Aged 61 yrs, R/o. H.No.8-3-318/11, Flat Number-302, Sri Usha Durga Nilayam, Yellareddy Guda, Khairtabad, Hyderabad.
20. Mr. Kilaru Ramesh Babu, S/o. Kilaru Ramalingaiah, R/o. H.No.6-3-661/B/2, Plot No.78, Sangeeth Nagar, Somajiguda, Hyderabad – 500082, Telangana.
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27. Ms. Priyamvada Anjali Joshi, D/o. Anjali Surendra Joshi, R/o. 8-2-416, Flat No.AS-7, Banjara Hills Road No.4, Stone Valley Apartment, Hyderabad, Telangana – 500034 (RR 1 to 27 by RPAD along with a copy of petition and affidavit).
28. One CC to M/s. K. KIRAN KUMAR, Advocate [OPUC].
29. Two CCs to GP FOR STAMPS AND REGISTRATION, High Court for the State of Telangana at Hyderabad [OUT].
30. One spare copy
ZEE

HIGH COURT

CVBRJ

DATED:08/01/2024

LIST ON 19.02.2024

NOTICE BEFORE ADMISSION

WP.No.484 of 2024

DIRECTION

