

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

THURSDAY, THE TWENTY FIFTH DAY OF APRIL
TWO THOUSAND AND TWENTY FOUR

:PRESENT:

**THE HONOURABLE SRI JUSTICE N.V.SHRAVAN KUMAR
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, 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 MaHu. 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.8-3-318111. 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- 661/1312, 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 yrs, 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 55yrs 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 yrs, 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

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 Hon'ble 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 also violative of Articles 14, 21 and 300A of the Constitution of India and consequently set-aside the conveyance deeds mentioned in Annexure A;

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.D.V.Sita Ram Murthy, learned senior counsel representing Sri. KONDAPARTHY KIRAN KUMAR Advocate for the Petitioner, GP FOR STAMPS AND REGISTRATION Advocate for the Respondent Nos.1 to 5 and the Court made the following.

ORDER:

The main grievance of the petitioner is that respondent No.5 is registering the sale deeds presented by respondent No.6 in favour of respondent Nos.7 to 27 in respect of land admeasuring Ac.63-80 gts., in 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.

Mr.D.V.Sita Ram Murthy, learned senior counsel for the petitioner draws attention of this Court to the order of the learned arbitrator particularly to paragraph 20 of the order, which is as follows:

"20. So far as alienation by the respondents is concerned, the claimants appear to be right, prima facie, in contending that without demarcation between the owners' share and the respondents' share, the respondents could not have alienated 81,668 sq.yds., to third parties. However, the sales already effected even prior to the commencement of the arbitration proceedings as noticed above by registered documents cannot be undone at this interim stage. Hence, in my view, interests of justice would be served by restraining the respondents from alienating or encumbering the agreements schedule properties to any third parties pending the arbitration dispute which is expected to be resolved in the next six months. The application, to that extent, is allowed."

Thereafter, petitioner has addressed a letter to the District Collector, sub-registrar and others on 29.07.2022 informing about the orders passed by the Arbitrator and accordingly requested to stop meddling (including any construction or any activity) alienations or encumbering of the subject property.

The prayer sought for in the writ petition is questioning the action of respondent No.5 in registering the sale deeds

Learned senior counsel appearing on behalf of respondent No.6 would submit that arbitration proceedings have been terminated with effect from 22.06.2023 and that the mandate is over and there should not be any bar for the sub-registrar to register the document.

It is pertinent to note that either in the counter affidavit or in the documents enclosed, there is no express communication issued to respondent No.5 by either of the parties regarding the termination of arbitral proceedings.

In view of the same, respondent No.5 shall file a counter affidavit and explain as to how the registration were effected subsequent to the letter issued by the petitioner on 29.07.2022 by the next date of hearing.

Post the matter on 01.05.2024.

**SD/-MOHD. ISMAIL
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, State of Telangana, Revenue (Stamps and Registration) Department, 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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28. One CC to SRI. KONDAPARTHY KIRAN KUMAR Advocate [OPUC]
29. Two CCs to GP FOR STAMPS AND REGISTRATION, High Court at Hyderabad. [OUT]
30. One spare copy

HIGH COURT

NVSK, J

DATED:25/04/2024

**POST THE MATTER
ON 01.05.2024**

ORDER

WP.No.484 of 2024

DIRECTION

