

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
MONDAY ,THE TWENTY FOURTH DAY OF JANUARY TWO THOUSAND AND
TWENTY TWO

:PRESENT:

THE HONOURABLE SRI JUSTICE B.VIJAYSEN REDDY
WRIT PETITION NO: 799 OF 2022

Between:

1. CH.Vanaja, W/o Ch.Rajalingam,
2. Gourisetty Venkateshwarlu, S/o Late G.Mallaiah,

Petitioners

AND

1. The State Telangana, Rep. by its Principal Secretary, Revenue Stamps and Registration Dept, Secretariat, Hyderabad.
2. The Commissioner and Inspector General, Stamps and Registration Department, M. J Road, Hyderabad
3. The District Collector, Sanga Reddy District at Sanga Reddy.
4. The District Registrar, SangaReddy District at Sangareddy.
5. The Sub Registrar-I, Ameenpur Village, Medak District.
6. The Hyderabad Metropolitan Development Authority, Rep. by its Commissioner, Tarnaka, Hyderabad.
7. The Tahsildhar, Sanga Reddy Mandal Sanga Reddy 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 grant an appropriate Writ, order or direction more particularly one in the nature of Writ of mandamus to declare the action of the respondents 2 to 5 as illegal, arbitrary in including the property bearing Plot Nos. 11 & 12 in Sy.No. 1132 of Ameenpur Village and Mandal, Sanga Reddy District from the prohibition properties list under section 22A of the registration Act, violative of Article 300-A of Constitution of India on the ground that mere pending a suit in connection with the survey No.1132 IA No.452/2017 in O.S No.72/2017 is no status quo order against the petitioner as the same is not binding upon the petitioners which is illegal and arbitrary consequently, direct the 3rd respondent to delete the prohibitory list the above subject property of the petitioners;

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. 6 to consider the application dated 14-10-2021 to grant permission for construction of residential building consisting of 1 Stilt + 5 Upper Floor in Plot No.11 and 12 in survey No.1132 Ameenpur Mandal and Medak district by suspending the short fall notice dt.15.12.2021 without reference to the prohibited list, pending disposal of the WP 799 of 2022, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of SRI RAMPRASAD PATHIPAKA Advocate for the Petitioners and GP FOR REVENUE for the Respondents 1 to 5 & 7 and Sri Y Rama Rao (S.C.) for the Respondent 6, the Court made the following.

ORDER:

Heard the learned counsel for petitioners Mr.Ramprasad Pathipaka.

The impugned proceedings dated 15.12.2021 has been issued in pursuance of the application submitted by the petitioner for construction of one stilt + 5 upper floors in Plot Nos.11 and 12 in Sy.No.1132 of Ameenpur village and mandal,

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Sanga Reddy district on the ground that as per POB register of Ameenpur village, the land in Sy.No.1132 is covered by Court stay in I.A.No.452 of 2017 in O.S.No.72 of 2017.

Having perused the order dated 5.7.2017 passed by the VII Additional District and Sessions Judge, Medak at Sangareddy in I.A.No.452 of 2017 in O.S.No.72 of 2017, it appears that the petitioners herein are not defendants in the said suit and Status quo orders passed therein is not binding on the petitioners.

Hence, there shall be interim direction to the respondent No.6 to consider the application of the petitioners dated 14.10.2021 for granting construction permission in respect of Plot Nos.11 and 12 in Sy.No.1132 of Ameenpur village and mandal, Sanga Reddy district without reference to the short fall notice dated 15.12.2021.

Post the matter on 21.2.2022. In the meanwhile, the respondents shall file counter, if any.

//TRUE COPY//

SD/-B. SATYAVATHI
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary, Revenue Stamps and Registration Dept, State of Telangana, Secretariat, Hyderabad.
2. The Commissioner and Inspector General, Stamps and Registration Department, M. J Road, Hyderabad
3. The District Collector, Sanga Reddy District at Sanga Reddy.
4. The District Registrar, SangaReddy District at Sangareddy.
5. The Sub Registrar-I, Ameenpur Village, Medak District.
6. The Commissioner, Hyderabad Metropolitan Development Authority, Tarnaka, Hyderabad.
7. The Tahsildhar, Sanga Reddy Mandal Sanga Reddy District. (1 to 7 by RPAD)
8. One CC to SRI. RAMPRASAD PATHIPAKA Advocate [OPUC]
9. Two CCs to GP FOR REVENUE, High Court at Hyderabad. [OUT]
10. One spare copy

HIGH COURT

BVRJ

DATED:24/01/2022

POST ON 21.02.2022

ORDER

WP.No.799 OF 2022

INTERIM DIRECTION

