

(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
WEDNESDAY, THE THIRD DAY OF APRIL TWO THOUSAND AND
TWENTY FOUR

:PRESENT:

THE HONOURABLE SRI JUSTICE N.V.SHRAVAN KUMAR
WRIT PETITION NO: 8691 OF 2024

Between:

Smt Aruna Nuthalapati, W/o Narra Srihari aged 34 years Occ. Pvt Employee
R/o. H.No.5-6-646/8, Plot No.681 S.K.D Nagar, Vanasthalipuram Hyderabad
Petitioner

AND

1. The State of Telangana, Rep by its Principal Secretary, Stamps and (Registration) Department Government of Telangana Secretariat Buildings Hyderabad.
2. The Commissioner and Inspector General Registration and Stamps Department, Government of Telangana Secretariat Buildings Hyderabad.
3. The District Collector, Ranga Reddy District at Ranga Reddy
4. The District Registrar, Registration and Stamps Department, Ranga Reddy District
5. The Sub Registrar, Office of the Sub Registrar Vanasthalipuram, Ranga Reddy District

Respondents

WHEREAS the Petitioner above named through her Advocate SRI N MANOHAR 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 5th respondent in passing the refusal order No. 17/2024 dt.26.02.2024, vide pending Doc.No.P65/2024 in furtherance to the letter No Jc-1/peshi/ Spl/2009 dt. 20.2.2009 in respect of Open Plot bearing No.719/Part admeasuring 239 sq.yards or equivalent to 199.83 sq.mtrs (out of 267 sq.yards) in Sy.No.201/1 and 201/2 situated at Sri Krishna Devarya Nagar, Saheb Nagar Kalan village, Hayatnagar Mandal, Rangareddy District as illegal, arbitrary and in violation of principles of natural justice and contrary to the provisions of Registration Act and consequently direct the 5th respondent to receive, register and release the sale deed kept pending as Doc.No.P65/2024,;

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri N MANOHAR Advocate for the Petitioner and GP for Stamps and Registration, who takes notice on respondents 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, Stamps and (Registration) Department Government of Telangana State of Telangana Secretariat Buildings Hyderabad.
2. The Commissioner and Inspector General Registration and Stamps Department, Government of Telangana Secretariat Buildings Hyderabad.
3. The District Collector, Ranga Reddy District at Ranga Reddy
4. The District Registrar, Registration and Stamps Department, Ranga Reddy District
5. The Sub Registrar, Office of the Sub Registrar Vanasthalipuram, Ranga Reddy District

are directed to show cause on or before 01/05/2024 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 petition, the High Court may be pleased to direct the 5th respondent to receive, register and release the sale deed dt.26.02.2024 vide pending Doc. No. P65/2024, forthwith, pending disposal of WP No. 8691 of 2024, on the file of the High Court.

THE COURT MADE THE FOLLOWING ORDER:

Notice before admission.

Learned Government Pleader for Stamps and Registration takes notice on respondent Nos.1 to 5.

Learned counsel for the petitioner submits that this Court while dealing with similar issue in I.A.No.1 of 2023 in W.P.No.14419 of 2023, dated 09.06.2023 and I.A.No.1 of 2023 in WP No.28203 of 2023, dated 16.10.2023 directed the respondent authorities therein to receive, register and release the documents presented by the petitioner, if it is otherwise found to be in compliance of the provisions of the Registration Act, 1908 and Indian Stamp Act, 1899, without reference to Lr.No.Jc-1/Peshi/Sp1/2009, dated 20.02.2009.

Learned Government Pleader for Stamps and Registration has not disputed the same.

In view of the above and for the reasons alike in the orders dated 09.06.2023 and 16.10.2023 and having regard to the fact that there is no notification issued under Section 22-A of the Registration Act with regard to the subject property, there shall be interim direction to Registering Authority to receive, register and release the petitioner's document/deed in respect of subject property, without reference to Lr.No.Jc-1 /Peshi/Spl/2009, dated 20.02.2009, subject to the petitioner complying the provisions of the Registration Act, 1908 and the Indian Stamp Act, 1899. However, such

registration shall be subject to the final result of the writ petition. The parties to the documents are prohibited from entering into further transactions with regard to the subject property without obtaining necessary permission from this Court.

Registry to make endorsement to the effect that the Writ petition will not be permitted to be withdrawn.

List on 01.05.2024, for counter.

//TRUE COPY//

SD/- P.PADMANABHA REDDY
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary, Stamps and (Registration) Department Government of Telangana State of Telangana Secretariat Buildings Hyderabad.
2. The Commissioner and Inspector General Registration and Stamps Department, Government of Telangana Secretariat Buildings Hyderabad.
3. The District Collector, Ranga Reddy District at Ranga Reddy
4. The District Registrar, Registration and Stamps Department, Ranga Reddy District
5. The Sub Registrar, Office of the Sub Registrar Vanasthalipuram, Ranga Reddy District (1 to 5 by RPAD along with a copy of petition and affidavit)
6. One CC to SRI. N MANOHAR Advocate [OPUC]
7. Two CCs to GP FOR STAMPS AND REGISTRATION ,High Court at Hyderabad. [OUT]
8. The Section Officer, Writ Filing (Non-Service) Section, High Court at Hyderabad
9. One spare copy

HIGH COURT

NVSKJ

DATED:03/04/2024

POST ON 01-05-2024

NOTICE BEFORE ADMISSION

WP.No.8691 of 2024

DIRECTION

