

(SHOW CAUSE NOTICE BEFORE ADMISSION)

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

FRIDAY ,THE FIFTH DAY OF JULY

TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HONOURABLE SRI JUSTICE N.V.SHRAVAN KUMAR

WRIT PETITION NO: 17337 OF 2024

Between:

1. Dr N S D PRASAD RAO, S/o Late Sri N.K. Rao.
2. N. AMRUTHA RANI,, W/o Dr N. S. D. Prasad Rao.
3. Dr. N. PRATHYUSHA CHOUDHARY,, D/o Dr N. S. D. Prasad Rao.

Petitioners

AND

1. The State of Telangana,, Represented by the Principal Secretary to Government, Revenue (R and S), Telangana State, Secretariat, Hyderabad 500029 T.G.
2. The Commissioner and Inspector General of Stamp and Registration,, 5-3-953, Nizam Shahi Rd, Mozamjahi Market, Herza Estate, Risala Abdullah Colony, Jam Bagh, Hyderabad 500095, T.G.
3. The District Registrar,, Medchal Malkajgiri District, Medchal, Secunderabad 501401, T.G.
4. The Sub-Registrar,, Kukatpally, Door No. Plot No. 5, Opp. IDPL, Balanagar Village. Mandal. Balanagar, Hyderabad T.G.
5. The Commissioner,, Greater Hyderabad Municipal Corporation, Tank bund Complex, Hyderabad 500029 T.G.
6. The Chief City Planner,, Greater Hyderabad Municipal Corporation, Tank bund Complex, Hyderabad 500029 T.G.,
7. The Zonal Commissioner,, Greater Hyderabad Municipal Corporation, Circle No 24, Kukatpally Division, Rama Rao Nagar, Moti Nagar, Hyderabad 500018 T.G.
8. WHITE WATERS CONSTRUCTIONS (P) Ltd,, having its registered office at E-11, Vikrampur Colony, Karkhana, Secunderabad -500 003, T.S., Represented by its Director, AJAY SALIKE S/o Salike Prakash Rao.
9. JANAPRIYA ENGINEERS SYNDICATE (P) Ltd.,, having its registered office at 8-2-120/86, 8-2-120/86/1, Plot No. 11 and12, Keerthi and Pride Towers, Road No. 2, Banjara hills, Hyderabad-500034, T.S., Represented by its Chairman Sri. K. RAVINDER REDDY, S/o. Late Sri. K. Purushotham Reddy

Respondents

WHEREAS the Petitioner above named through his Advocate Sri SAROSH SAM BASTAWALA 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 a writ, order or direction particularly in the nature of the writ of mandamus, directing the Respondent Nos 4 herein to cancel the Rectification Deed in Registered Document No 4758 of 2023 dated 19-06-2023 of the office of the Respondent No 4 and assigned the Identification No 151514758 for Scanning on 20-06- 2023 as void and non-est which unilaterally purports to cancel and modify the Registered Gift Deed executed by the Respondent No 8 in favour of Respondent No 5, in Registered Gift Deed No 3845 of 2020, dated 13-07-2020, and assigned Identification No 1-11511-3845, delineating lands gifted for the purpose of approach road, to a residential complex constructed by the Respondent No 8 herein, under Rule 26(k(i) of the T.S. Rules under the Registration Act.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri SAROSH SAM BASTAWALA Advocate for the Petitioner, Learned Assistant Government Pleader for Stamps and Registration takes notice on respondent Nos.1 to 4, Sri M.Dhananjay Reddy, learned standing counsel GHMC takes notice on respondent Nos.5 to 7 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 to Government, Revenue (R and S), Telangana State, State of Telangana,, Secretariat, Hyderabad 500029 T.G.
2. The Commissioner and Inspector General of Stamp and Registration,, 5-3-953, Nizam Shahi Rd, Mozamjahi Market, Herza Estate, Risala Abdullah Colony, Jam Bagh, Hyderabad 500095, T.G.
3. The District Registrar,, Medchal Malkajgiri District, Medchal, Secunderabad 501401, T.G.
4. The Sub-Registrar,, Kukatpally, Door No. Plot No. 5, Opp. IDPL, Balanagar Village. Mandal. Balanagar, Hyderabad T.G.
5. The Commissioner,, Greater Hyderabad Municipal Corporation, Tank bund Complex, Hyderabad 500029 T.G.
6. The Chief City Planner,, Greater Hyderabad Municipal Corporation, Tank bund Complex, Hyderabad 500029 T.G.,
7. The Zonal Commissioner,, Greater Hyderabad Municipal Corporation, Circle No 24, Kukatpally Division, Rama Rao Nagar, Moti Nagar, Hyderabad 500018 T.G.
8. The Director, AJAY SALIKE S/o Salike Prakash Rao, WHITE WATERS CONSTRUCTIONS (P) Ltd,, having its registered office at E-11, Vikramপুরi Colony, Karkhana, Secunderabad -500 003, T.S.,
9. The Chairman Sri. K. RAVINDER REDDY, S/o. Late Sri. K. Purushotham Reddy, JANAPRIYA ENGINEERS SYNDICATE (P) Ltd.,, having its registered office at 8-2-120/86, 8-2-120/86/1, Plot No. 11 and 12, Keerthi and Pride Towers, Road No. 2, Banjara hills, Hyderabad-500034, T.S.,

are directed to show cause on or before 18.07.2024 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 in the interregnum to order and direct the suspension of the Rectification Deed" in Registered Document No 4758 of 2023, dated 19-06-2023, of the office of the Respondent No 4 and assigned the Identification No 151514758 for Scanning on 20-06-2023, pending disposal of WP No. 17337 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 on respondent Nos.1 to 4.

Sri M.Dhananjay Reddy, learned standing counsel GHMC takes notice on respondent Nos.5 to 7.

Learned counsel for the petitioners is permitted to take out personal notice on respondent Nos.8 and 9 and file proof of service.

Learned Assistant Government Pleader for Stamps and Registration placed written instruction of respondent No.4, wherein para No.2 reads as:

"In this connection I would like to submit that one's registered rectification document cannot be cancelled either Executant and Claimant executed the cancellation of Rectification deed or direction from the Hon'ble Court to the Sub-Registrar to cancel the said document".

The instructions placed before this Court is vague. The Rectification Deed presented by the respondent No.8 has unilaterally registered, vide Document No.4758 of 2023, dated 19.06.2023, hence, learned Government Assistant Pleader for Stamps and Registrations shall get fresh instructions by the next date of hearing.

List on 18.07.2024.

**SD/-P. PADMANABHA REDDY
ASSISTANT REGISTRAR**

//TRUE COPY//


SECTION OFFICER

To,

1. The Principal Secretary to Government, Revenue (R and S), Telangana State, State of Telangana,, Secretariat, Hyderabad 500029 T.G.
2. The Commissioner and Inspector General of Stamp and Registration,, 5-3-953, Nizam Shahi Rd, Mozamjahi Market, Herza Estate, Risala Abdullah Colony, Jam Bagh, Hyderabad 500095, T.G.
3. The District Registrar,, Medchal Malkajgiri District, Medchal, Secunderabad 501401, T.G.
4. The Sub-Registrar,, Kukatpally, Door No. Plot No. 5, Opp. IDPL, Balanagar Village. Mandal. Balanagar, Hyderabad T.G.
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6. The Chief City Planner,, Greater Hyderabad Municipal Corporation, Tank bund Complex, Hyderabad 500029 T.G.,
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9. The Chairman Sri. K. RAVINDER REDDY, S/o. Late Sri. K. Purushotham Reddy, JANAPRIYA ENGINEERS SYNDICATE (P) Ltd.,, having its registered office at 8-2-120/86, 8-2-120/86/1, Plot No. 11 and 12, Keerthi and Pride Towers, Road No. 2, Banjara hills, Hyderabad-500034, T.S.,

(FOR ADRESSES 1 TO 9 by RPAD- along with a copy of petition and affidavit)

10. One CC to SRI. SAROSH SAM BASTAWALA Advocate [OPUC]
11. Two CCs to GP FOR STAMPS & REGISTRATION ,High Court at Hyderabad. [OUT]
12. One spare copy

HIGH COURT

NVSKJ

DATED:05/07/2024

LIST ON 18.07.2024.

NOTICE BEFORE ADMISSION

WP.No.17337 of 2024

DIRECTION

