

(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
TUESDAY, THE EIGHTEENTH DAY OF MARCH
TWO THOUSAND AND TWENTY FIVE

:PRESENT:

THE HONOURABLE SRI JUSTICE K. SARATH
WRIT PETITION NO: 36169 OF 2024

Between:

Orakata Sujeetha, W/o Orakata Satyanarayana, Aged about 35 years, Occ Housewife, R/o H.No.12-1-639/B, Dattadaraya Colony, Asifanagar, Humayunnagar, Hyderabad.

Petitioner

AND

1. The State of Telangana, represented by its Principal Secretary, Department of Revenue, Stamps and Registration, Secretariat, Hyderabad.
2. The Commissioner and Inspector General Registrations and Stamps,, Government of Telangana, Hyderabad.
3. The District Collector, Ranga Reddy District
4. The District Registrar, Registration and Stamps, Ranga Reddy District, Hyderabad.
5. The Joint Sub-registrar, Registrar Office, Vanasthalipuram, Ranga Reddy District.

Respondents

WHEREAS the Petitioner above named through her Advocate SRI ESLAVATH RAJU 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 Order, Direction or Writ more particularly one in the nature of Writ of Mandamus declaring the action of the Respondent No.5 in passing the refusal order vide No 117/2021 dated 14/12/2021 in furtherance of the letter No vide Lr. No. JC-1/Peshi/Spl/ 2009 dated 20/02/2009 for the land bearing Plot No.266, admeasuring 311 Sq.yards or 201 part (old), new No.201/3, of Vaidehi Nagar, Situated at Saheb Nagar Kalan Village, Hayathnagar Revenue Mandal, Rangareddy District, Ward No.5, Block No.7, under L.B.Nagar Circle-III, Greater Hyderabad Municipal Corporation in the prohibitory list U/s 22 (A) of Registration Act, arbitrary, illegal and consequently direct the respondent No 5 to register and release the sale deed vide Pending Document No. P-409/2021;

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri ESLAVATH RAJU Advocate for the Petitioner, GP FOR STAMPS AND REGISTRATION takes notice for the respondents, 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, State of Telangana, Department of Revenue, Stamps and Registration, Secretariat, Hyderabad.
2. The Commissioner and Inspector General Registrations and Stamps,, Government of Telangana, Hyderabad.
3. The District Collector, Ranga Reddy District
4. The District Registrar, Registration and Stamps, Ranga Reddy District, Hyderabad.
5. The Joint Sub-registrar, Registrar Office, Vanasthalipuram, Ranga Reddy District.

are directed to show cause on or before 15.04.2025 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 no.5 to register and release the sale deed vide pending document No. P-409/2021 in respect of the land bearing Plot No.266, admeasuring 311 Sq.yards or 201 part (old), new No.201/3, of Vaidehi Nagar, Situated at Saheb Nagar Kalan Village, Hayathnagar Revenue Mandal, Rangareddy District, Ward No.5, Block No.7, under L.B.Nagar Circle, Greater Hyderabad Municipal Corporation, pending disposal of WP No. 36169 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 WP 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 with the provisions of Registration Act, 1908 and Indian Stamps Act, 1899, without reference to Lr.No. JC-1/Peshi/Spl/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 the 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 the petitioner complying the provisos of the Registration Act, 1908 and the Indian Stamps 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.

Post after four (4) weeks.

List on 15.04.2025.

SD/-K.SREE RAMA MURTHY
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, State of Telangana, Department of Revenue, Stamps and Registration, Secretariat, Hyderabad.
2. The Commissioner and Inspector General Registrations and Stamps,, Government of Telangana, Hyderabad.
3. The District Collector, Ranga Reddy District
4. The District Registrar, Registration and Stamps, Ranga Reddy District, Hyderabad.
5. The Joint Sub-registrar, Registrar Office, Vanasthalipuram, Ranga Reddy District.
(RR 1 to 5 by RPAD- along with a copy of petition and affidavit)
6. The Section Officer, (Non-Service) Section, High Court at Hyderabad.
7. One CC to SRI. ESLAVATH RAJU Advocate [OPUC]
8. Two CCs to GP FOR REVENUE, High Court at Hyderabad. [OUT]
9. One spare copy

HIGH COURT

SKJ

DATED:18/03/2025

LIST ON 15.04.2025

NOTICE BEFORE ADMISSION

WP.No.36169 of 2024

DIRECTION

