

**BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI (SZ)**

ORIGINAL APPLICATION NO.16 OF 2022

IN THE MATTER OF:

Dr. Lubna Sarwath Hyderabad,
Telangana.

...Applicant(s)

- Vs-

The State of Telangana,
Rep. by its Secretary Public,
Telangana and Ors.

...Respondent(s)

REPORT FILED BY THE IRRIGATION DEPARTMENT R-6

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Place: Chennai

Date: 08.07.2025


Mrs. H. Yasmeen Ali,
Standing counsel for 6th Respondent

BEFORE THE NATIONAL GREEN TRIBUNAL,(SZ), CHENNAI

Original Application No. 16 of 2022

Dr. Lubna Sarwath

....Applicant

-Vs-

The Chief Secretary to
Govt. Of Telangana, Hyderabad

....,Respondents

Report filed by the Irrigation Department - R-6

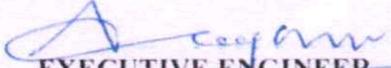
It is to submit that the Hon'ble NGT, Chennai in its order dated 22.04.2025 directed Irrigation department to file the counter in WP 7778 of 2025 claiming the land in Sy.No. 50/1 to an extent of 13.17 acres as his private land.

It is humbly submitted that the Irrigation Department has filed the counter in WP 7778 of 2025 stating that Irrigation department does not deal with the title of the land, it only confirms that whether the particular Survey number is falling in FTL or buffer of the lake. It is a fact that the Sy.No.50/1 is falling in FTL of the lake. A copy of counter file is here with enclosed.

The FTL area of the Bum rukn uddin dowla lake during preliminary notification was arrived as 17.49 acres and while submitting for Final Notifications per 16th LPC guidelines the Shikam land was also added such the area was arrived as 18.575 Acres.

The restoration work of Bum rukn uddin dowla lake taken up by HYDRAA are in full swing (Photos are here with attached).

In view of the above it is to submit that, we along with HYDRAA are taking steps for restoration and rejuvenation of the lake. This is submitted for kind information and taking necessary action in the matter.


EXECUTIVE ENGINEER
NORTH TANKS DIVISION, HYD.
IRRIAGTION Dept.

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

W.P. No. 7778 of 2025

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7	P1	Copy of Representation	03.09.2024	-do-	16-18
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HYDERABAD,
DT. 04.03.2025

COUNSEL FOR PETITIONER

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MEMORANDUM OF WRIT PETITION
(Petition under Article 226 of Constitution of India)

IN THE HON'BLE HIGH COURT FOR THE STATE OF TELANGANA
AT: HYDERABAD

(Special Original Jurisdiction)

W.P No. of 2025

Between:

Omer Bin Abdullah, S/o Late Abdullah Bin Sayeed,
Age about: 70 Years, Occ:: Business,
R/o. H. No. 18-7-425/77/21/B, Talab Katta,
Mir Jumla, Bhavani Nagar, Hyderabad, Telangana State

Represented by the AGPA holder

Salman Bin Hamed Al Kaseri, S/o Hamed Bin Obaid Al Kaseri,
Aged about: 46 Years, Occ: Business,
R/o. 19-3-201/A/36, Jahanuma, Hyderabad.

...Petitioner

AND

1. State of Telangana,
Rep by its Principal Secretary,
Irrigation Department, Secretariat Hyderabad
2. The Chief Engineer (Irrigation), Hyderabad,
I & CAD Department, Second Floor,
Erramanzil, Hyderabad
3. Hyderabad Disaster Response & Asset Protection Agency (HYDRA),
6th & 7th Floor, Buddha Bhavan,
Hyderabad, Telangana State
4. The Metropolitan Commissioner,
C/o HMDA, Swarna Jayanti Complex,
Sanjeeva Reddy Nagar Rd, Srinivasa Nagar,
Ameerpet, Hyderabad, Telangana 500082
5. The Tahsildar/Mandal Revenue Officer,
Rajendranagar Mandal, Rajendranagar,
Rangareddy District

...Respondents



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The address for service of all notices and process etc., on the above named petitioner is that of his counsel **M/s Pawan Kumar Agarwal (7322)**, Smt. Durga Agarwal & Kushaal Agarwal, Advocates, Flat No. 402, Plot No. 38, Pleasant Park Apartment, Santhinagar, Hyderabad. 28

That the names, descriptions of the respondents are as shown in the cause title above. That the addresses of the respondents for service of court processes, notice etc is also same as shown in the cause writ petition.

For the reasons stated in the accompanying affidavit, it is prayed that this Hon'ble court may be pleased to issue an order or orders particularly a writ in the nature of Writ of Mandamus declaring the action of the official Respondent No. 2 and 4 in describing the petitioner's private property referred allegedly as "Bumrukudowla Lake" (Pond) and not excluding the same from the list of notified lakes by irrigation Department (on the official website of HMDA) i.e. private land admeasuring Ac. 13-17 Gts in Sy. No. 50/1 situated at Bumrukudowla village, Rajendernagar Mandal, Ranga Reddy District as arbitrary, illegal, against the principles of natural justice and in violation of Article 300-A of the Constitution of India and consequently direct the Respondent No. 2 and Respondent No. 4 to consider the representation of the Petitioner Dt. 03-09-2024 and 25-02-2025 and exclude the petitioner's private property i.e., land admeasuring Ac. 13-17 Gts in Sy. No. 50/1 situated at Bumrukudowla village, Rajendernagar Mandal, Ranga Reddy allegedly referred as "Bumrukudowla Lake" (Pond) from the list of notified lakes by irrigation Department (on the official website of HMDA) and pass such other order or orders as this Hon'ble court may deem fit and proper in the circumstances of the case in the interest of justice.

Place: Hyderabad
Date: 03-03-2025


Counsel for the Petitioner

DISTRICT: R.R. DISTRICT

IN THE HIGH COURT FOR THE
STATE OF TELENGANA:
AT: HYDERABAD

W.P. No. _____ of 2025

WRIT PETITION

Filed On: 03-03-2025

Filed By: Pawan Kumar Agarwal (7322)
Smt. Durga Agarwal
Kushaal Agarwal
Advocate

Counsel for the Petitioner

Phone: 8686114217

Email: Pawangrwl@yahoo.com

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MEMORANDUM OF WRIT PETITION
(Petition under Article 226 of Constitution of India)

IN THE HON'BLE HIGH COURT FOR THE STATE OF TELENGANA
AT: HYDERABAD
(Special Original Jurisdiction)

W.P No. of 2025

Omer Bin Abdullah, S/o Late Abdullah Bin Sayeed,
Age about: 70 Years, Occ: Business,
R/o. H. No. 18-7-425/77/21/B, Talab Katta,
Mir Jumla, Bhavani Nagar, Hyderabad, Telangana State

Represented by the AGPA holder

Salman Bin Hamed Al Kaseri, S/o Hamed Bin Obaid Al Kaseri,
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1. State of Telangana,
Rep by its Principal Secretary,
Irrigation Department, Secretariat Hyderabad
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3. Hyderabad Disaster Response & Asset Protection Agency (HYDRA),
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Ameerpet, Hyderabad, Telangana 500082
5. The Tahsildar/Mandal Revenue Officer,
Rajendranagar Mandal, Rajendranagar,
Rangareddy District

...Respondents

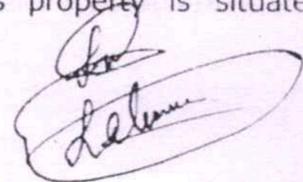
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AFFIDAVIT

I, Omer Bin Abdullah, S/o Late Abdullah Bin Sayeed, age: 70 Years, Occ: Business, R/o. H. No. 18-7-425/77/21/B, Talab Katta, Mir Jumla, Bhavani Nagar, Hyderabad, Telangana State represented by the AGPA holder Salman Bin Hamed Al Kaseri, S/o Hamed Bin Obaid Al Kaseri, Aged about: 46 Years, Occ: Business, R/o 19-3-201/A/36, Jahanuma, Hyderabad, Telangana State do hereby solemnly affirm and sincerely state on oath as under:

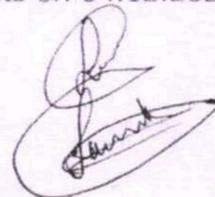
1. I am the Deponent herein and the Petitioner in the Writ Petition as such well acquainted with the facts of the case.
2. The Petitioner submits that, the Petitioner along with his family members are the absolute owners and peaceful possessors of land admeasuring Ac. 13-17 Gts in survey number 50/1 situated at Bumrukudowla village, Rajendernagar Mandal, Ranga Reddy District. The same was obtained through an Oral Gift in the year 1984 and reduced the same in writing into a Gift deed in the year 1991 in favour of my father, from Asadullah Khan, the registered GPA of Nawab Mir Barkat Ali Khan Bahadur i.e. H.E.H, the VIIIth Nizam of Hyderabad.
3. The Petitioner further submits that, this land (region) is popularly known as Chasm - e - Bum and Chasm - e - Bum was a well, used to cater the drinking water needs of Late Mir Osman Ali Khan (H.E.H. the Nizam). The proceedings of Special Officer (SO), Urban Land Ceiling (ULC) in file No. E1/10122/76 dated 08.04.1982 reveals that H.E.H the Nizam has declared sixteen (16) landed properties in his declaration among which the above mentioned property is enlisted at Serial No. 9, the Special Officer and Competent Authority, ULC has stated that this property is situated at Bomrukudowla village.



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4. The area declared is 94, 474 Sq. mts in Sy. No. 40 & 50/1 of Bomrukundowla village. During the course of enquiry, it is revealed that the entire land excepting a well has been under the occupation of third parties for the past several years. The well itself is non-vacant land as defined in section 2(q)(i) of the Urban Land Ceiling Act. Further in the same proceedings the Special Officer and Competent Authority, ULC (SO & CA, ULC) under the heading as "PROPERTIES DECLARED BUT NOT HELD BY THE DECLARANT AS ON 28.01.1976" has further held that out of sixteen (16) properties declared u/s 6(1) of the Act, the property in question named as Chasm - e - Bum at Serial No. 2 of the table given under the said heading held that it was not held by the declarant as on 28.01.1976 but the Survey number and extent of this item has not been given by the SO & CA, ULC in the said table. This proceeding proves that the above mentioned land is not government but was a private property of H.E.H the Nizam of Hyderabad.
5. The Petitioner submits that the petitioner has already made a representation to the District Collector, Ranga Reddy District to declare the above mentioned land to be private patta of Mir Osman Ali Khan on 04.12.2023. The same is pending with the District Collector.
6. The Petitioner submits that, the HMDA officials were interfering with the possession and enjoyment of the share of the petitioner herein and the petitioner has already filed representations to the concerned officials / departments but to no avail. The HMDA officials are stating that they are taking action along with the irrigation department to clean the lake alleged to be in survey number 50/1. It is specifically admitted that there is no lake but a Pond created for catering the drinking water needs of Nizam Family. The same was updated to the officials of the Irrigation Department but they were still trying to interfere without considering the actual facts. The Petitioner made representations to all the concerned departments on 04.12.2023.



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7. The Petitioner submits that aggrieved by the action of the Revenue, HMDA and irrigation department, the petitioner filed WP No. 13394/2024 in Hon'ble High Court of Telangana and the Hon'ble High Court of Telangana passed an order directing the respondents to not to interfere without following the due process of law. The operative portion of the order is as follows;

"6. This Court, without expressing any opinion with regard to inter se disputes relating to title and possession, as the grievance of the petitioner is that the respondents, without following due procedure, are making efforts to dispossess the petitioner from the land in Sy.No.50/ 1, deems it appropriate to dispose of the writ petition directing the respondents to follow the due procedure of law, if the petitioner is found to be in possession of land in Sy.No. 50/ 1 of Bumrukudowla village

7. The writ petition is accordingly disposed of. No costs.

As a sequel, the miscellaneous petitions pending, if any, shall stand closed."

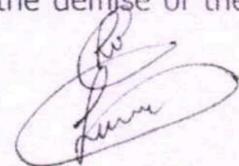
8. The Petitioner further submits that, lately the irrigation department came to petitioner's land and stated that the land is in Full Tank Level (FTL) of the Bumrukudowla Pond and they tried interfering into the possession of the petitioner. The petitioner enquired about the same and came to know that the irrigation department has conducted a survey and demarcated the boundaries and the same is available on the official website of HMDA under the preliminary notification caption. The petitioner obtained the copies of the maps marked in preliminary notification from the website of HMDA and the petitioner found that there were many mistakes by the irrigation department. The Irrigation department termed it as "POND" in their official preliminary notification and there is still final notification pending for the same.



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9. The Petitioner submits that the alleged lake is not a lake but a pond which is a man-made water source for catering the drinking water needs of H.E.H the Nizam of Hyderabad. It is a historic fact that the a well and Pond was constructed in 1770 by Nawab Rukn-ud-Daula - the Prime Minister of Sikandar Jah - the 3rd Nizam of Hyderabad and gifted it to the 3rd Nizam of Hyderabad as a source for drinking water. The arrangement was such that the well was only 20 feet deep and a Pond was created to maintain water levels in the well. The well and the Pond were divided using a stone wall which acted as a filter between the well and the Pond. This water well was not for common public but it was specifically for the Royal family (i.e. H.E.H the Nizam of Hyderabad).
10. The petitioner submits that the notices sent by the Irrigation department clearly states that the water body is a Pond and as per English Dictionary (OXFORD) the meaning of Pond is "*A small area of still water, especially one that is artificial.*" The well and the pond were constructed only to cater the drinking water needs of Nizam family and this was always a private property of H.E.H the nizam of Hyderabad. The Pond was not a natural water body and the pond was never used for irrigation or public purpose. Hence it can be safely concluded that the Pond was neither a source for irrigation nor a source of drinking water for common public but a private source of drinking water for Nizam family.
11. The Petitioner further submits that a simple perusal of the revenue record i.e. Pahani Patrika for the year 1989-90 and subsequent years, show that the land classification is shown as "DRY" which is a clear indication that the land was never classified as a lake or a water body, instead was always a private pond for the Nizam family. The land classification simple shows that the land was dry in nature and the pond was created to meet the drinking water need of the "Royal Family" in the year 1770 as mentioned above and the same remained a drinking water source for Nizam family till the demise of the VII Nizam of Hyderabad i.e. Mir Osman Ali Khan.



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12. The Petitioner further submits that an extent of Ac. 09-10 Gts of Sy. No. 50/1 situated at Bumrukudowla village, Rajendernagar Mandal, Ranga Reddy District is getting effected due to the Pond and the well and in the guise of the same the Irrigation Department and Hyderabad Disaster Response & Assets Monitoring and Protection (HYDRA) are trying to interfere in the peaceful possession and enjoyment of the Petitioner's land with an excuse to fix the FTL (Full Tank Level) of the Pond, and HMDA has also demolished few boundaries constructed by the petitioner's family members and his family members, and when the same confronted from the HMDA officials, they have stated that the action was taken by the Commissioner, HYDRA (Hyderabad Disaster Response & Assets Monitoring and Protection) and further states that the land is a lake. With the above action of Commissioner, HYDRA (Hyderabad Disaster Response & Assets Monitoring and Protection) the government has removed all encroachments and is planning to build park on the same. This action was not only in violation of the Hon'ble High Court order in WP No. 13394/2024 but also in violation to the statute set through WALTA Act 2002. If it is a lake how can the government form / built a park on the same which itself is self-contradictory.
13. The Petitioner further states that upon enquiry it is revealed that the alleged lake was not included in the list of notified lakes by the HMDA till 2018. The same was included without the knowledge of this petitioner in the year 2019. The lake is still under preliminary notification stage and the Petitioner has already filed an objection/representation on 03.09.2024 to remove/de-notify the alleged lake/pond from the list of notified lakes. It is respectfully submitted that there has been no action by the authority on the same and the said representation of the Petitioner still remains unheard and the same was not even called for any hearing or explanation.

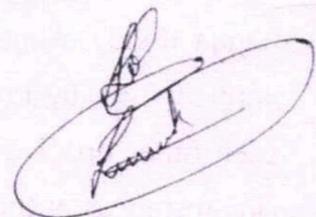


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14. The Petitioner further states that the notification of the alleged "Bumrukudowla Lake" (Pond) with Lake ID: 2935 is still in the preliminary notification stage (as listed on the official website of the Respondent No. 2), which clearly shows that lake is still not been included in the final list of lakes / ponds published by HMDA through completing the final notification process. The Respondent No. 2, 3, 4 and 5 have neither replied to the representation of the Petitioner nor have served any notices for the same.

15. The Petitioner further states that the officials of Respondent No. 2 and 3 i.e. Irrigation Department and Hyderabad Disaster Response & Asset Protection Agency (HYDRA) are trying to interfere into the peaceful possession and enjoyment of the Petitioner's property on the pretext of survey and demarcation without providing any reply or clarification to the representation made by the petitioner on 03.09.2024. This is not only violation of the Hon'ble High Court's order in WP No. 13394/2024 but also against the principles of natural justice. The Hyderabad Disaster Response & Asset Protection Agency (HYDRA) cannot act against the Petitioner before the final notification and Hyderabad Disaster Response & Asset Protection Agency (HYDRA) is high handedly trying to trespass into the property of the Petitioner. That on 25-02-2025, The Hyderabad Disaster Response & Asset Protection Agency (HYDRA) again interfered with the peaceful possession and enjoyment of the Petitioner's property which is also a gross violation of the orders passed by this court in W.P. No. 13394 of 2024, Dt. 16-05-2024 and on which this Petitioner again gave a detailed representation on 25-02-2025, to all the Respondents by narrating the very fact that the Respondents cannot interfere with the possession and enjoyment of the Petitioner's land without issuing any notice and without deciding the very fact that the Bumrukudowla is not a lake and the final notification of the same is still pending.



16. The Petitioner states that, the petitioner has made all efforts to submit to the authority i.e. irrigation department and HMDA, that the survey and demarcation of the lake/pond and Full Tank Level (FTL) are incorrect and the alleged lake/pond needs to be removed from the list of notified lakes at the preliminary stage itself, as it is not a lake/pond (neither for public purpose nor for irrigation), the irrigation department is trying to avoid the same for the reasons best known to them and are trying to interfere into the peaceful possession and enjoyment of the petitioner's property in the guise of the preliminary notification/survey. Therefore the petitioner has no other alternate remedy other than to seek refuge of this court by initiating proceedings of Writ under article 226 of the constitution of India and seek appropriate relief.
17. The Petitioner has not filed any writ, suit or any other proceedings before any court of law regarding the same relief sought in this writ petition.

MAIN RELIEF

It is therefore prayed that this Hon'ble court may be pleased to issue an order or orders particularly a writ in the nature of Writ of Mandamus declaring the action of the official Respondent No. 2 and 4 in describing the petitioner's private property referred allegedly as "Bumrukudowla Lake" (Pond) and not excluding the same from the list of notified lakes by irrigation Department (on the official website of HMDA) i.e. private land admeasuring Ac. 13-17 Gts in Sy. No. 50/1 situated at Bumrukudowla village, Rajendernagar Mandal, Ranga Reddy District as arbitrary, illegal, against the principles of natural justice and in violation of Article 300-A of the Constitution of India and consequently direct the Respondent No. 2 and Respondent No. 4 to consider the representation of the Petitioner Dt. 03-09-2024 and 25-02-2025 and exclude the petitioner's private property i.e., land admeasuring Ac. 13-17 Gts in Sy. No. 50/1 situated at Bumrukudowla village, Rajendernagar Mandal, Ranga Reddy allegedly referred as "Bumrukudowla Lake" (Pond) from the list of notified lakes by irrigation Department (on the official website of HMDA) and pass such other order or orders as this Hon'ble court may deem fit and proper in the circumstances of the case in the interest of justice.



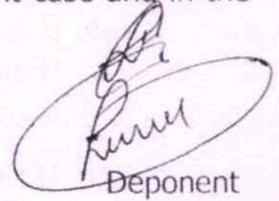
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INTERIM RELIEF

In the interim it is therefore prayed that this Hon'ble court may be pleased to grant stay of all for further proceedings pertaining to the preliminary notification and further grant stay in pursuance of entry referred allegedly as "Bumrukudowla Lake" (POND) with Lade ID: 2935 from the list of notified lakes by irrigation Department, and also direct the Respondent No. 3 not to interfere into the peaceful possession and enjoyment of the Petitioner's land admeasuring Ac.13.17 Gts, in Sy. No. 50/1, Situated at Bumrukudowla Village, Rajendernagar Mandal, Ranga Reddy District, pending disposal of the Writ Petition and pass such other suitable order or other orders as are deem and proper in the circumstances of the present case and in the interest of Justice.

Sworn and signed before me on this the
3rd day of March, 2025 At Hyderabad

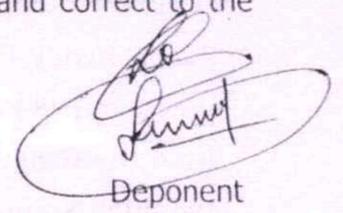


Deponent

VERIFICATION STATEMENT

I, Omer Bin Abdullah, S/o Late Abdullah Bin Sayeed, Aged about: 70 Years, Occ: Business, R/o. H. No. 18-7-425/77/21/B, Talab Katta, Mir Jumla, Bhavani Nagar, Hyderabad, Telangana State represented by the AGPA holder Salman Bin Hamed Al Kaseri, S/o Hamed Bin Obaid Al Kaseri, Aged: 46 Years, Occ: Business, R/o. 19-3-201/A/36, Jahanuma, Hyderabad, Telangana Statedo hereby verify and declare that, what has been stated in the above paras are true and correct to the best of my knowledge and belief.

Verified at Hyderabad on this the
3rd day of, March, 2025



Deponent

Adv/Hyd

EXPI (16)

To,

Date: 03-09-2024

- 1) The Metropolitan Commissioner
C/o Hyderabad Metropolitan Development Authority
Swarna Jayanti Complex, Sanjeeva Reddy Nagar Rd,
Srinivasa Nagar, Amecrpet, Hyderabad, Telangana 500082
- 2) The Chief Engineer (Irrigation), Hyderabad
I & CAD Department, Second Floor,
Erramanzil, Hyderabad
- 3) The Tahsildar,
Rajendernagar Mandal,
At Rajendernagar, R. R. District

Respected Authority,

Sub: Request the authority to kindly consider the facts and remove Bumrukud-Dowla Lake (Huda Park) Lake ID: 2935 from the list of notified lakes by HMDA. Req - Reg..

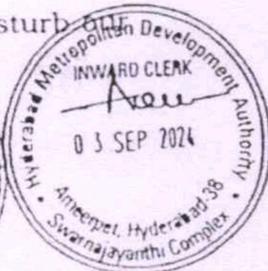
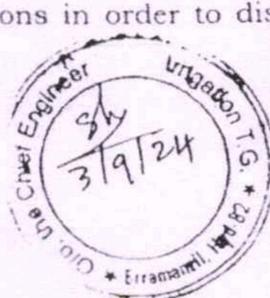
Ref: 1) Copy of the orders of the Hon'ble High Court of Telangana in WP No. 13394/2024 Dated 16.05.2024

I, Omer Bin Abdullah S/o Late Abdullah Bin Sayeed age: 70 Years Occupation: Business R/o: H.No: 18-7-425/77/21/B, Talab Katta, Mir Jumla, Bhavani Nagar, Hyderabad, Telangana State represented by the AGPA holder Salman Bin Hamed Al Kaseri S/o Hamed Bin Obaid Al Kaseri age: 46 years Occupation: Business, R/o 19-3-201/A/36, Jahanuma, Hyderabad, And Telangana State wants to bring to your kind notice that I am the owner and possessor of land admeasuring Ac. 13 - 17 Gts., Situated at survey number 50/1 of Bumrukudowla Village, Rajendernagar Mandal, Ranga Reddy District, having acquired the same through an Oral Gift in the year 1984 and reduced the same in writing into a Gift deed in 1991, from the registered GPA of Nawab Mir Barkat Ali Khan Bahadur i.e. H.E.H, the VIIIth Nizam of Hyderabad.

It is respectfully submitted that, multiple complaints were made to HMDA regarding the interference and obstructions in order to disturb



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peaceful possession in the past but lately HMDA has started using revenue officials and GHMC officials to disturb our peaceful possession. It is pertinent here to mention that Mir Barkat Ali Khan i.e. H.E.H the Nizam of Hyderabad was the owner and peaceful possessor of the land in survey number 50/1 of Bumrukudowla Village, Rajendernagar Mandal, Ranga Reddy District. The same is evident through the Urban Land Ceiling Proceedings No. E1/10122/76 dated 08-04-1982. The above mentioned land was never declared surplus and the same was in my physical possession and ownership from the date of gift.

It is respectfully submitted that HMDA and Revenue Officials are again trying to interfere into the peaceful possession and enjoyment of the above mentioned property and aggrieved by the same, the applicant has filed a Writ through Writ Petition No. 13394/2024 in the Hon'ble High Court of Telangana and the Hon'ble High Court of Telangana has passed an order directing all the above addressee to not to interfere into the peaceful possession of the applicant.

It is further submitted that lately HMDA, GHMC and Revenue Officials along with HYDRA have come to the land and without giving any notices have demolished our boundaries. It is pertinent to mention here that the officials were stating that it is lake and they are protecting lake and FTL. It is specifically submitted that the pond (Bumrukud-Dowla pond) is a man-made pond for catering the drinking water needs of Nizam family and this was never for public use. The entry in the notified lake is also an after-thought as this was never included in the list of notified lakes. This is completely a private pond and the common public was never benefitted through this pond. Therefore it is not proper to state that it is a lake or a public water source.

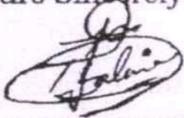
From the above facts, it is neither a water body nor a public water source (never used for irrigation). This is also evident through the historical

18

records. The pond along with well was constructed in 1770 by Nawab Rukn-ud-Daula - the Prime Minister of Sikandar Jah - the 3rd Nizam of Hyderabad and gifted it to the 3rd Nizam of Hyderabad as a source for drinking water. The arrangement was such that the well was only 20 feet deep and a Pond was created to maintain water levels in the well. The well and the Pond were divided using a stone wall which acted as a filter between the well and the Pond. The Pond and the well were not only private property but were only created to cater the drinking water needs of Nizam family.

This representation is to bring the order of the Hon'ble High Court to your kind notice and further request to kindly consider the facts and remove Bumrukud-Dowla Lake (Huda Park) Lake ID: 2935 from the list of notified lakes by HMDA for land admeasuring Ac. 13 - 17 Gts in survey number 50/1 situated at Bum Ruknadowla Village, Rajendernagar Mandal, Ranga Reddy District.

Thanking you
Yours Sincerely



(SALMAN BIN HAMED AL KASERI)

Ph: 6302122356

Enclosed:

- 1) Copy of Gift deed
- 2) Copy of orders of the Hon'ble High Court of Telangana in WP No. 13394/2024 dated 16.05.2024
- 3) Cadastral Map of Bumrukud-Dowla Lake (Huda Park) Lake ID: 2935

EXP2 (19)

To,

Date: 25-02-2025

- 1/ The Chief Engineer (Irrigation), Hyderabad
I & CAD Department, Second Floor,
Erramanzil, Hyderabad
- 2/ The Metropolitan Commissioner
C/o Hyderabad Metropolitan Development Authority
Swarna Jayanti Complex, Sanjeeva Reddy Nagar Rd,
Srinivasa Nagar, Ameerpet, Hyderabad, Telangana 500082
- 3/ Hyderabad Disaster Response & Asset Protection Agency (HYDRA),
6th & 7th Floor, Buddha Bhavan
Hyderabad, Telangana State
- 4/ The Tahsildar,
Rajendernagar Mandal,
At Rajendernagar, R. R. District

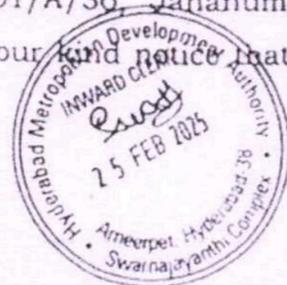
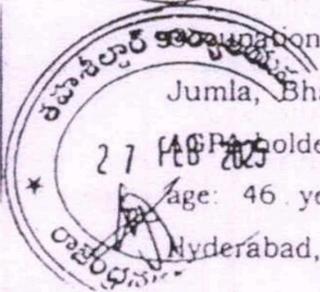
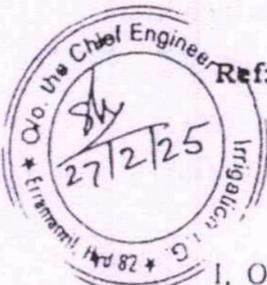
Respected Authority,

Sub: Objection to survey/demarcation without any notice/intimation and in violation of the orders of the Hon'ble High Court of Telangana in WP No. 13394/2024 Dated 16.05.2024. The authority has also overlooking the fact that this is not a lake but a pond only created for the drinking water needs of Nizam Family and therefore the same cannot be declared a natural water body for public use. Request the authority to kindly consider the facts and remove Bumrukud-Dowla Lake (Huda Park) Lake ID: 2935 from the list of notified lakes by HMDA. Req - Reg..

Ref: 1) Copy of the orders of the Hon'ble High Court of Telangana in WP No. 13394/2024 Dated 16.05.2024

2) Copy of representation Dated: 03.09.2024

I, Omer Bin Abdullah S/o Late Abdullah Bin Sayeed age: 70 Years
Occupation: Business R/o: H.No: 18-7-425/77/21/B, Talab Katta, Mir
Jumla, Bhavani Nagar, Hyderabad, Telangana State represented by the
AGP holder Salman Bin Hamed Al Kaseri S/o Hamed Bin Obaid Al Kaseri
age: 46 years Occupation: Business, R/o 19-3-201/A/36, Jahanuma,
Hyderabad, And Telangana State wants to bring to your kind notice that I



am the owner and possessor of land admeasuring Ac. 13 - 17 Gts., Situated at survey number 50/1 of Bumrukudowla Village, Rajendernagar Mandal, Ranga Reddy District, having acquired the same through an Oral Gift in the year 1984 and reduced the same in writing into a Gift deed in 1991, from the registered GPA of Nawab Mir Barkat Ali Khan Bahadur i.e. H.E.H, the VIIIth Nizam of Hyderabad.

It is respectfully submitted that, multiple complaints were made to HMDA regarding the interference and obstructions in order to disturb our peaceful possession in the past but lately HMDA has started using revenue officials and GHMC officials to disturb our peaceful possession. It is pertinent here to mention that Mir Barkat Ali Khan i.e. H.E.H the Nizam of Hyderabad was the owner and peaceful possessor of the land in survey number 50/1 of Bumrukudowla Village, Rajendernagar Mandal, Ranga Reddy District. The same is evident through the Urban Land Ceiling Proceedings No. E1/10122/76 dated 08-04-1982. The above mentioned land was never declared surplus and the same was in my physical possession and ownership from the date of gift.

It is respectfully submitted that HMDA and Revenue Officials are again trying to interfere into the peaceful possession and enjoyment of the above mentioned property and aggrieved by the same, the applicant has filed a Writ through Writ Petition No. 13394/2024 in the Hon'ble High Court of Telangana and the Hon'ble High Court of Telangana has passed an order directing all the above addressee to not to interfere into the peaceful possession of the applicant.

It is further submitted that lately HMDA, GHMC and Revenue Officials along with HYDRA have come to the land and without giving any notices have come to the our land in survey number 50/1 of Bumrukudowla Village, Rajendernagar Mandal, Ranga Reddy District and stated that it is a lake and they are protecting lake and FTL. It is specifically submitted that

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the pond (Bumrukud-Dowla pond) is a man-made pond for catering the drinking water needs of Nizam family which was earlier being acknowledged by the irrigation department and this was never for public use and was never been recorded in irrigation department records. The entry in the notified lake is also an after-thought as this was never included in the list of notified lakes. This is completely a private pond and the common public was never benefitted through this pond. Therefore it is not proper to state that it is a lake or a public water source. From the above facts, it is neither a water body nor a public water source (never used for irrigation). This is also evident through the historical records. The pond along with well was constructed in 1770 by Nawab Rukn-ud-Daula - the Prime Minister of Sikandar Jah - the 3rd Nizam of Hyderabad and gifted it to the 3rd Nizam of Hyderabad as a source for drinking water. The arrangement was such that the well was only 20 feet deep and a Pond was created to maintain water levels in the well. The well and the Pond were divided using a stone wall which acted as a filter between the well and the Pond. The Pond and the well were not only private property but were only created to cater the drinking water needs of Nizam family.

The present petitioner has also made a similar objection to the preliminary notification earlier and made a representation on 03.09.2024 (A copy is attached for your kind perusal) and there has been no action upon the same from your kind authority. Today i.e. on 25.02.2025 the officials of irrigation department have again approached/visited our property in survey number 50/1 of Bumrukudowla Village, Rajendernagar Mandal, Ranga Reddy District and started survey/demarcation process without any notice to this petitioner and when the petitioner objected to the same, they are ignoring the orders of the Hon'ble High Court of Telangana in WP No. 13394/2024 Dated 16.05.2024.

This representation is to bring the order of the Hon'ble High Court in WP No. 13394/2024 Dated 16.05.2024 and any action without following the

due process of law will be an intentional violation of the Hon'ble High Court's order and the petitioner reserves his right to file appropriate proceedings in the court of law. Hence it is requested to kindly consider the facts and remove Bumrukud-Dowla Lake (Huda Park) Lake ID: 2935 from the list of notified lakes by HMDA for land admeasuring Ac. 13 - 17 Gts in survey number 50/1 situated at Bum Ruknadowla Village, Rajendernagar Mandal, Ranga Reddy District.

Thanking you
Yours Sincerely



(SALMAN BIN HAMED AL KASERI)

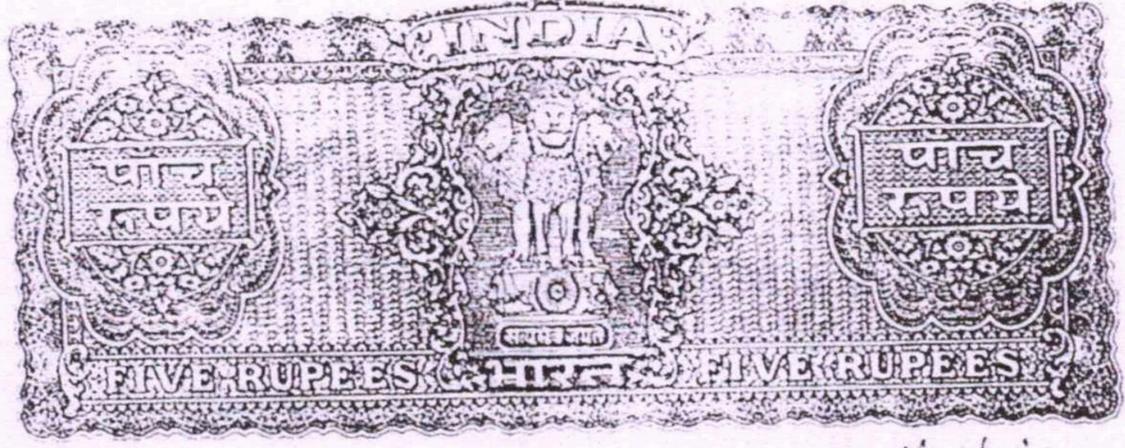
Ph: 6302122356

Enclosed:

- 1) Copy of Gift deed
- 2) Copy of orders of the Hon'ble High Court of Telangana in WP No. 13394/2024 dated 16.05.2024
- 3) Copy of representation Dated: 03.09.2024

EXP 23

SR\$



6215 9-10-91 Sfr

Omer Bin Abdullah s/o Abdullah Bin Sayeed
- Self -
Fls Hyderabad

M L

MEMORANDUM OF GIFT

I, MOHD. ASADULLAH KHAN S/o. Mr. MOHD. INAYATHULLAH KHAN, aged about 65 years, Occ: Landlord, Residing at Nazri Bagh, King Kothi, Hyderabad, A.P.

That I hold General Power of Attorney granted by H.E.H. The Nizam of Hyderabad (VIII) Registered as Doc.No.1083 of 1990 dated: 28-12-1990, and as such empowered to grant and convey the property belonging to the H.E.H. The Nawab Mir Barkat Ali Khan, S/o. Late. Azam Jah Bahadur, Walashan, Mukkaramjah Bahadur, out of his estate.

Under the instructions of H.E.H. The Nizam, I hereby grant 13 acres and 17 guntas of land in Survey No.50/1, situated at Bum Ruknuddowla Village, Rajendernagar Mandal, Ranga Reddy District to OMER BIN ABDULLAH S/o. ABDULLAH BIN SAYEED, aged about 42 yrs, Occupation: Business R/o. H.No.18-7-425/77/21/B, Talab Katta - Mir Jumla B.Nagar, Hyderabad-A.P., due to the reasons that the father of the done herein i.e. Mr.ABDULLAH BIN SAYEED is old servant of H.E.H. The Nizam and he performed faithful services with him and H.E.H. The Nawab Mir Barkat Ali Khan has orally gifted (Hiba) an extent of 13 acres and 17 guntas in Survey No.50/1 situated at Bum Ruknuddowla Village, Rajendernagar Mandal, R.R. District on 24-12-1984 to OMER BIN ABDULLAH S/o. ABDULLAH BIN SAYEED and the same is hereby reduced into writing to avoid future complications.

..2

Md Asad ully

Witness
to H. E. H. The Nizam
11-12-1991

24

..:2:.

That since the date of gift the said OMER BIN ABDULLAH has become the owner of the said property and he shall be at liberty to make use of the said property or to transfer the same or any part thereof in any manner as an absolute owner regarding I shall not have any objection. As he is also the old occupier and in peaceful physical possession of the same, the property was delivered under the gift.

That, the Gifted property is free from all kinds of litigations, encumbrances and prior transactions, if in future any adverse claim shall put-forth by anybody whatsoever the same shall deemed as null and void and the rights of the done shall not be effected in any way.

Hence this Memorandum is being executed by me to give all effect to the oral gift made on 24-12-1984 by H.E.H. The Nawab Mir - Barkat Ali Khan.

SCHEDULE OF THE GIFTED PROPERTY

All the land admeasuring 13 acres and 17 guntas of land in Survey No.50/1, situated at BUM RUKNUDDOWLA VILLAGE, RAJENDRANAGAR MANDAL, RANGA REDDY DISTRICT, bounded by the following boundaries:

North	:	R o a d
South	:	Land of Hemsu Roy (Roy Cottage)
East	:	Part of Survey No.42 of H.E.H. The Nizam
West	:	R o a d

Hence I executed and signed this Memorandum on this the 9th day of October 1991 at Hyderabad under the instructions of H.E.H. the Nizam in the presence of the following witnesses. The Gift was accepted by the Donee.

WITNESSES :

1.

2.

Md Asad Ullah,

EXECUTANT
(MOHD. ASADULLAH KHAN)
G.P.A. OF H.E.H. THE NIZAM OF
HYDERABAD.

*Constituted Attorney
to H.E.H. the Nizam
HYDERABAD.*

25

EXPY

[3296]

HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)

THURSDAY, THE SIXTEENTH DAY OF MAY
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE SRI JUSTICE C.V. BHASKAR REDDY

WRIT PETITION NO. 13394 OF 2024

Between:

Omer Bin Abdullah, S/o Late Abdullah Bin Sayeed age 70 Years Occupation Business R/o. H.No. 18-7-425/77/21/B, Talab Katta, Mir Jumla, Bhavani Nagar, Hyderabad, Telangana State Represented by the GPA holder Salman Bin Hamed Al Kaseri S/o Hamed Bin Obaid Al Kaseri age 46 years Occupation Business, R/o 19-3-201/A/36, Jahanuma, Hyderabad, Telangana State

...PETITIONER

AND

1. State of Telangana, Rep. by its Principal Secretary M A and U D; Secretariat, Hyderabad.
2. The Metropolitan Commissioner, C/o Hyderabad Metropolitan Development Authority Swarna Jayanti Complex, Sanjeeva Reddy Nagar Rd, Srinivasa Nagar, Ameerpet, Hyderabad, Telangana 500082
3. The Chief Engineer (Irrigation), Hyderabad I and CAD Department, Second Floor, Erramanzil, Hyderabad
4. The Tahsildar/Mandal Revenue Officer, Rajendranagar Mandal, Rajendranagar Rangareddy District.
5. The Station House Officer, Mailardevpally Police Station, Mailardevpally, Cyberabad.

...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 order or orders particularly a writ in the nature of Writ of Mandamus declaring the action of the respondents in interfering with the peaceful possession and enjoyment of land of the petitioner that is land admeasuring Ac. 13-17 Gts in survey number 50/1 situated at Bumrukudowla village, Rajendernagar Mandal, Ranga Reddy District as illegal and arbitrary and consequently direct the respondents herein not to interfere with the peaceful possession and enjoyment over the land of the petitioner that is land admeasuring Ac. 13-17 Gts in survey number 50/1 situated at Bumrukudowla

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village, Rajendernagar Mandal, Ranga Reddy District without following the due process of law

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 respondents herein not to interfere with the peaceful possession and enjoyment of land admeasuring Ac. 13-17 Gts in survey number 50/1 situated at Bumruknudowla village, Rajendernagar Mandal, Ranga Reddy District without following the due process of law, pending disposal of the above writ petition

Counsel for the Petitioner: SRI. PAWAN KUMAR AGARWAL

Counsel for the Respondent No.1: GP FOR MUNICIPAL
ADMINISTRATION AND URBAN DEVELOPMENT

Counsel for the Respondent No.2: SRI V. NARASIMHA GOUD, SC FOR HMDA

Counsel for the Respondent No.3: GP FOR IRRIGATION AND CAD

Counsel for the Respondent No.4: GP FOR REVENUE

Counsel for the Respondent No.5: GP FOR HOME

The Court made the following: ORDER

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HON'BLE SRI JUSTICE C.V. BHASKAR REDDY

WRIT PETITION No.13394 of 2024

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed by the petitioner, seeking the following relief:

"... to issue a writ, order or orders more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in interfering with the peaceful possession and enjoyment of land of the petitioner that is land admeasuring Ac.13-17 Gts in Survey Number 50/1 situated at Bhumruknudowla village, Rajendernagar Mandal, Ranga Reddy District as illegal and arbitrary and consequently direct the respondents herein not to interfere with the peaceful possession and enjoyment over the land of the petitioner that is land admeasuring Ac.13-17 Gts in survey number 50/1 situated at Bumruknudowla village, Rajendernagar Mandal, Ranga Reddy District without following the due process of law and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case in the interest of justice."

2. With the consent of both the counsel, the matter has been disposed of at the admission stage.

3. The petitioner claims to be the owner and possessor of the land admeasuring Ac.13-17 gts. in Sy.No.50/1 situated at Bumruknudowla village of Rajendranagar Mandal, Ranga

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Reddy District. It is also stated that the said property was acquired under a Gift Deed dated 09.10.1991. It is the further case of the petitioner that the said land was computed under the provisions of the Urban Land Ceiling Act in File No.E1/10122/76, dated 08.04.1982 and the land computed under the said file was declared as exempted under the provisions of Section 2(q)(i) of the said Act. The grievance of the petitioner is that he is in possession of the part of land in Sy.No.50/1 and the respondents, without issuing any notice and without conducting any inquiry, are making efforts to dispossess him from the said land.

4. The learned Counsel appearing for the 2nd respondent has vehemently contended that the petitioner is not having any right or title over the property. In fact, he is relying on the agreement of sale/sada binama and is claiming rights over the subject property which is in his occupation.

5. The learned Government Pleader appearing for respondent No.4 has submitted that the land claimed by the petitioner is recorded as Government land in the revenue

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records and the petitioner is not in possession of the said land.

6. This Court, without expressing any opinion with regard to *inter se* disputes relating to title and possession, as the grievance of the petitioner is that the respondents, without following due procedure, are making efforts to dispossess the petitioner from the land in Sy.No.50/1, deems it appropriate to dispose of the writ petition directing the respondents to follow the due procedure of law, if the petitioner is found to be in possession of land in Sy.No.50/1 of Bumrukudowla village.

7. The writ petition is accordingly disposed of. No costs.

As a sequel, the miscellaneous petitions pending, if any, shall stand closed.

SD/- K.SREERAMA MURTY
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

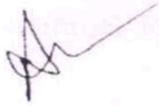
1. The Principal Secretary M A and U D, Secretariat, T.S., Hyderabad.
2. The Metropolitan Commissioner, C/o Hyderabad Metropolitan Development Authority Swarna Jayanti Complex, Sanjeeva Reddy Nagar Rd, Srinivasa Nagar, Ameerpet, Hyderabad, Telangana 500082.
3. The Chief Engineer (Irrigation), Hyderabad I and CAD Department, Second Floor, Erramanzil, Hyderabad.
4. The Tahsildar/Mandal Revenue Officer, Rajendranagar Mandal, Rajendranagar Rangareddy District,

Court

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5. The Station House Officer, Mailardevpally Police Station, Mailardevpally, Cyberabad
6. One CC to SRI. PAWAN KUMAR AGARWAL, Advocate [OPUC]
7. Two CCs to GP FOR MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT, High Court for the State of Telangana, at Hyderabad [OUT]
8. Two CCs to GP FOR IRRIGATION AND CAD, High Court for the State of Telangana, at Hyderabad [OUT]
9. Two CCs to GP FOR REVENUE, High Court for the State of Telangana, at Hyderabad [OUT]
10. Two CCs to GP FOR HOME, High Court for the State of Telangana, at Hyderabad [OUT]
11. One CC to SRI. V. NARASIMHA GOUD, SC FOR HMDA [OPUC]
12. Two CD Copies

B M



32

It is to be submitted that the Burnukund Dowla (tank) is not belonging to this division, or Irrigation District as this tank is not listed in any one of the tanks list i.e. 509 & 392 or in a list of tanks maintained by this department. But, however, as per the instructions of the District Collector, R.R. District vide reference 1st cited, a detailed survey has been taken up. During the course of field survey it was observed that, this was very old abandoned tank for which there are no records in this office as this tank does not belong to this department. During course of field enquiry, it is learnt that, it was primarily constructed in Nizam days by the Nizam dynasty for supplying drinking water on the down stream through out-let point of size 2' - 6" X 3'-0" and this out-let join with Mir Alam Tank through filter bed. Further, it is to be submitted that, this out-let point is not in working condition.

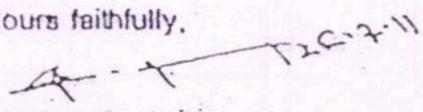
The entire out-let on down stream side of the bund has been occupied by the encroachers, certain length of the bund has been occupied by constructing compound wall in the top of the tank bund. Further it was also observed by the inspecting team of Engineers by this office that a compound wall has been constructed within FTL area.

The superimposed FTL map of Burnukund dowla in the village plan of ~~Chimalkota, Rajendranagar(M)~~ is yet to be received from the Deputy Collector & Tahsildar, Rajendranagar(M).

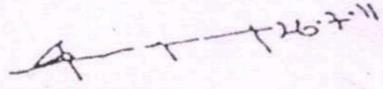
Further, it is to be submitted that, a letter has been already addressed to the Deputy Collector & Tahsildar, Rajendranagar(M) to remove the encroachments within the water body as per FTL map already furnished.

This is submitted for favour of kind information and for taking further necessary action in the matter.

Yours faithfully,


Executive Engineer,
North Tanks Division, Hyd.

1. Copy submitted to the Superintending Engineer, HL&WBMC for kind information with reference to Encl. to SE/HL&WBMC/TS/OT/10/Tanks/B42 DL 19.07.2011.
2. Copy to Dy. Exe. Engineer, Sub. Div. H&S for information and necessary action.
3. Copy to Deputy Collector & Tahsildar, Rajendranagar(M) for favour of information and for taking further necessary action in the matter.


Executive Engineer,
North Tanks Division, Hyd.

EXP 34

no. 197

1975-76

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Sl. No.	Date		Time		Place		Remarks	
	Day	Month	Start	End	From	To	Activity	Observation
1	2	11	8:00	10:00	...	...	...	...
2	3	11	8:00	10:00	...	...	...	...
3	4	11	8:00	10:00	...	...	...	...
4	5	11	8:00	10:00	...	...	...	...
5	6	11	8:00	10:00	...	...	...	...
6	7	11	8:00	10:00	...	...	...	...
7	8	11	8:00	10:00	...	...	...	...
8	9	11	8:00	10:00	...	...	...	...
9	10	11	8:00	10:00	...	...	...	...
10	11	11	8:00	10:00	...	...	...	...
11	12	11	8:00	10:00	...	...	...	...
12	13	11	8:00	10:00	...	...	...	...
13	14	11	8:00	10:00	...	...	...	...
14	15	11	8:00	10:00	...	...	...	...
15	16	11	8:00	10:00	...	...	...	...
16	17	11	8:00	10:00	...	...	...	...
17	18	11	8:00	10:00	...	...	...	...
18	19	11	8:00	10:00	...	...	...	...
19	20	11	8:00	10:00	...	...	...	...

CESS No. 3 PAHANI PATRIKA

District : Ranga Reddy Year : 1975-76

Mandal : Rajendernagar

Village : Bomrukudawal

Records										Rights Record				Cultivation Details						
Dakala No.	Sy. No. Pottu Crop	Patta or Inam Land	Extent			Cess shown in Setwar	Details as per Setwar			Khatta No.	Name of the Khattadar S/o. & Address	Possessor	Others Rights & Details	No. of Trees & Varieties	Year	Actual Cultivator his name and address	Cultivation Done	Tenant		
			Total	Potu	Bal.		Cultivation	Abi, Tabi Rented	Extent Culti- vated									Extent of land given to Tenant	Details of Tenant	
1	2		3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	
59	50/1		13-17	13-17			Kus ki (Dry)				Poramboke	Govt.								

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CESS No. 3 PAHANI PATRIKA

Village : Bomrukudowal

Mandal : Rajendernagar

District : Ranga Reddy

Year : 1989-90

Records										Rights Record				Cultivation Details						
Dakala No.	Sy. No. Pottu	Crop	Extent			Cess shown in	Details as per Setwar			Khatta No.	Name of the Khattadar S/o. & Address	Possessor	Others Rights & Details	No. of Trees & Varieties	Year	Actual Cultivator his name and address	Cultivation Done	Tenant		
			Total	Potu	Bal.		Cultivation	Abi, Tabi Rented	Extent Cultivated									Extent of land given to Tenant	Details of Tenant	
1	2		3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	
65	50/1		13-17	13-17		Govt.	Dry				Poramboke	Poramboke	13.17							35A

34A

CESS No. 3 PAHANI PATRIKA

Village : Bomruknudawal

Mandal : Rajendernagar

District : Ranga Reddy

Year : 1999-2000

		Records						Rights Record						Cultivation Details					
Dakala No.	Sy.No. Pottu Crop	Extent			Cess shown in Setwar	Details as per Setwar			Khatta No.	Name of the Khattadar S/o. & Address	Possessor	Others Rights & Details	No. of Trees & Varities	Year	Actual Cultivator his name and address	Cultivation Done	Tenant		
		Total	Potu	Bal.		Cultivation	Abi, Tabi Rented	Extent Culti- vated									Extent of land given to Tenant	Details of Tenant	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	
75	50/1	13-17	13-17		Gov t.		Dry		100 6	Poramboke	Govt.	13.17							

36A

98-5861 M 1985-86

Station	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
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CESS No. 3 PAHANI PATRIKA

Village : Bomruknudawal

Mandal : Rajendernagar

District : Ranga Reddy

Year : 1985-86

		Records										Rights Record				Cultivation Details			
Dakala No.	Sy.No. Pottu Crop Patta or Inam Land	Extent			Cess shown in Setwar	Details as per Setwar			Khatta No.	Name of the Khattadar S/o. & Address	Possessor	Others Rights & Details	No. of Trees & Varities	Year	Actual Cultivator his name and address	Cultivation Done	Extent of land given to Tenant	Tenant	
		Total	Potu	Bal		Cultivation	Abi, Tabi Rented	Extent Culti- vated										Details of Tenant	19
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	
59	50/1	13-17	13-17		Gov t.					Poramboke	Govt.								37A

PETITION FILED UNDER SECTION 151 CPC
IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT: HYDERABAD

I.A. No. of 2025

In

W.P. No. of 2025

Omer Bin Abdullah, S/o Late Abdullah Bin Sayeed,
Age about: 70 Years, Occ:: Business,
R/o. H. No. 18-7-425/77/21/B, Talab Katta,
Mir Jumla, Bhavani Nagar, Hyderabad, Telangana State

Represented by the AGPA holder

Salman Bin Hamed Al Kaseri, S/o Hamed Bin Obaid Al Kaseri,
Aged about: 46 Years, Occ: Business,
R/o. 19-3-201/A/36, Jahanuma, Hyderabad.

...Petitioner

AND

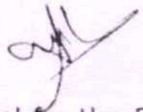
1. State of Telangana,
Rep by its Principal Secretary,
Irrigation Department, Secretariat Hyderabad
2. The Chief Engineer (Irrigation), Hyderabad,
I & CAD Department, Second Floor,
Erramanzil, Hyderabad
3. Hyderabad Disaster Response & Asset Protection Agency (HYDRA),
6th & 7th Floor, Buddha Bhavan,
Hyderabad, Telangana State
4. The Metropolitan Commissioner,
C/o HMDA, Swarna Jayanti Complex,
Sanjeeva Reddy Nagar Rd, Srinivasa Nagar,
Ameerpet, Hyderabad, Telangana 500082
5. The Tahsildar/Mandal Revenue Officer,
Rajendranagar Mandal, Rajendranagar,
Rangareddy District

...Respondents



In the interim it is therefore prayed that this Hon'ble court may be pleased to grant stay of all for further proceedings pertaining to the preliminary notification and further grant stay in pursuance of entry referred allegedly as "Bumrukudowla Lake" (POND) with Lade ID: 2935 from the list of notified lakes by irrigation Department, and also direct the Respondent No. 3 not to interfere into the peaceful possession and enjoyment of the Petitioner's land admeasuring Ac.13.17 Gts, in Sy. No. 50/1, Situated at Bumrukudowla Village, Rajendernagar Mandal, Ranga Reddy District, pending disposal of the Writ Petition and pass such other suitable order or other orders as are deem and proper in the circumstances of the present case and in the interest of Justice.

Place: Hyderabad
Date: 03-03-2025


Counsel for the Petitioner

77

CIP for Urugalia
RANGA REDDY.
DISTRICT: R.R. DISTRICT

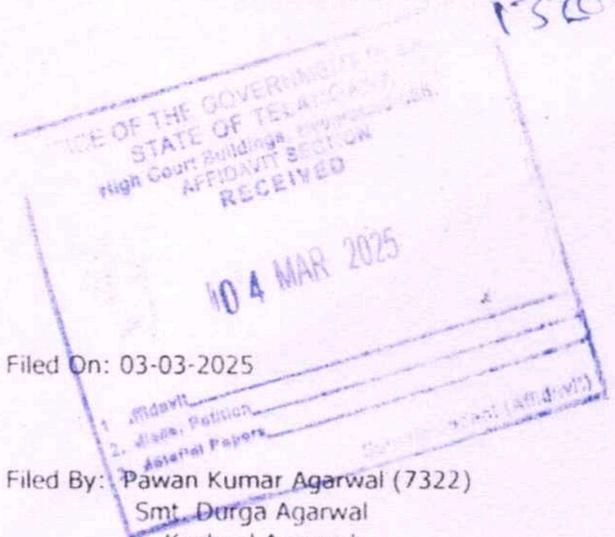
IN THE HIGH COURT FOR THE
STATE OF TELANGANA:
AT: HYDERABAD

I.A. No. _____ of 2025

In _____
W.P. No. _____ of 2025

Trivedi
AT

STAY - PETITION



Filed On: 03-03-2025

Filed By: Pawan Kumar Agarwal (7322)
Smt. Durga Agarwal
Kushaal Agarwal
Advocate

Counsel for the Petitioner

Phone: 8686114217

Email: Pawangrwl@yahoo.com

9 70 51 70 778

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

W.P. No.7778 OF 2025

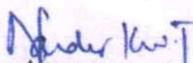
Between:

Omer Bin Abdullah, S/o Late Abdullah Bin Sayeed
Age about 70 Years, Occ: Business,
R/o H.No.1-8-7425/77/21/B,
Talab Katta, Mir Jumla Bhavani Nagar,
Hyderabad, Telangana State,
Represented by the AGPA Holder Salman
Bin Hamed Al Kaseri, S/o Hamed Bin Obaid Al Kaseri
Aged about 46 Years, Occ: Business
R/o 1-9-3201/A/36, Jahanuma, Hyderabad

...Petitioner

And

1. The State of Telangana
Rep by its Principal Secretary,
Irrigation Department, Secretariat,
Hyderabad.
2. The Chief Engineer
Irrigation, Hyderabad, I and CAD Department
Second Floor, Erramanzil, Hyderabad
3. Hyderabad Disaster Response and
Asset Protection Agency
HYDRAA, 6th and 7th Floor
Buddha Bhavan, Hyderabad, Telangana State
4. The Metropolitan Commissioner
C/o HMDA Swarna Jayanti Complex,
Sanjeeva Reddy Nagar Rd,
Srinivasa Nagar, Ameerpet,
Hyderabad Telangana 500082


Attestor


Deponent

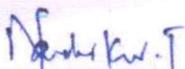
5. The Tahsildar/Mandal Revenue Officer
Rajendranagar Mandal, Rajendranagar
Rangareddy District.

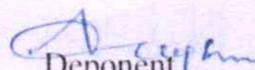
...Respondents

COUNTER AFFIDAVIT FILED ON BEHALF OF
RESPONDENT NO.2

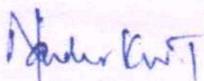
I, A.Narayana S/o A Rajaiah, aged about (61) years, Occ: Executive Engineer, R/o Hyderabad, do hereby solemnly affirm and state on oath as under:

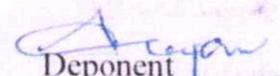
1. I am the Executive Engineer, North Tanks Division, representing the Respondent No.2 herein as such I am well acquainted with the facts and circumstances of the case as borne by the official records.
2. I state that, I have read the affidavit filed by the petitioners in support of the Writ Petition and it does not disclose any valid or substantial grounds warranting indulgence of the Hon'ble Court under Article-226 of the Constitution of India. I deny all the allegations and adverse averments made in the affidavit except those that are specifically admitted herein and the Petitioners are put to strict proof of the allegations and adverse averments which are not admitted hereunder.


Attestor


Deponent

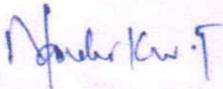
3. It is submitted that, the HYDRAA is restoring and rejuvenating the bum-Rukh-udd-dowla. In light of the provisions of the Telangana Land Revenue Act, 1317 Fasli and the Telangana Irrigation Act, 1357 Fasli & G.O.Ms.No.99, Municipal Administration & Urban Development (GHMC.I) Department dated 19.07.2024, HYDRAA has been making efforts to restore the Bum-Rukn-ud-Dowla Water Body.
4. It is further submitted that there is a case OA.No.16 of 2022 (SZ) pending before the National Green Tribunal at Chennai. During the hearing on 14.02.2025, it was recorded that HYDRAA is the agency to evict and remove the encroachments from the water body and that they are at that job. The Irrigation Department has been directed to request HYDRAA to prioritize, removing the encroachment from the subject Bum-Rukn-ud-Dowla lake.
5. It is submitted that the. Bum-Rukn-ud-Dowla lake (HUDA park lake) preliminary notification was issued by the Lake Protection Committee (HMDA LPC) on 17.10.2017 vide lake Id No. 2935 after following prescribed procedure and the same was duly uploaded in the Official Website. Prior to the Preliminary Notification, this lake was surveyed

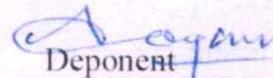

Attestor


Deponent

under supervision of Irrigation and Revenue Departments by duly considering Tank Hydraulic Structures, Revenue records, Survey of India Topo sheet and the certified maps were submitted to Metropolitan Commissioner, HMDA through vide Lr.No.EE/NTD/DB/HD/2017/564, Dt.23.05.2017.

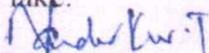
6. It is submitted that the Irrigation & CAD Department Officials confirmed that the presence of subject lake in Sy.No 50/1 as per the Survey of India Topo Sheet It is submitted that subject water body clearly exists in the 1975 Survey of India Topo Map and also exists in the Ground with Tank Hydraulic structures like bund, weir, sluice etc., In view of the above, the subject water body is a well-established tank as per records & also at present ground conditions.
7. In reply to the averments made in Paragraph Nos. 5 & 6 of the petitioners affidavit it is submitted that as the Petitioner and others been trying to illegally fill the lake submergence area with debris, the Irrigation Authorities have been cautioning the encroachers from time to time to protect the vicinity of the lake and its FTL area. As such HYDRAA is also trying to protect the subject lake on priority basis.


Attestor

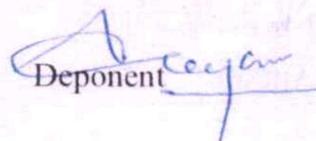

Deponent

8. In reply to the averments made in Paragraph No.7 of the Petitioners affidavit it is submitted that in WP.No.13394 of 2024, this Hon'ble Court without expressing any opinion on the Title and Possession claimed by the petitioner, directed the Respondents to follow due procedure of law.
9. In reply to the averments made by the petitioner in Para 8 of the petitioners affidavit, it is submitted that, the existence of a water body in the name of Bum-Rukn-ud-Dowla (old name Chasm-e-Bum) is well established and as such it was notified as per the laid down procedure.
10. In reply to the averments made by the petitioner in Paragraph Nos. 9 & 10 of the petitioners affidavit, it is submitted that the Petitioner that the subject lake is a private water body is misconceived and hence denied. It is submitted that as per the Survey of India Topo Map, there are well-established catchment streams to feed the subject tank and the surplus water of this tank also used to feed the downstream well & Tanks. As such the averments in paras 9 & 10 are misplaced and denied.
11. In reply to the averments made in Paragraph Nos. 11 & 12 of the petitioners affidavit, it is submitted that the HYDRAA authorities have been exercising their powers only to ensure protection and restoration of the lake.

Attestor



Deponent

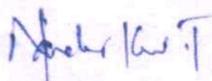


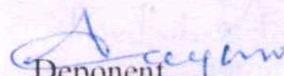
12. In reply to the averments made in Paragraph No.13 & 14 of the petitioners affidavit it is submitted that, the averments of petitioner that without his knowledge in the year 2018 the lake was notified is misplaced and the belated objection dt: 03.09.2024 to de-notify the lake (after 6 years) from the list of notified lakes is misconceived.

13. In reply to the averments made in Paragraph Nos. 15 & 16 of the petitioners affidavit, it is submitted that, the officials have been just discharging their lawful duties to preserve and restore the lakes as per the law. Further there is no proper evidence whatsoever in support of the Claims of Petitioner and as such the request for de-notification of the lake through this writ petition is misconceived.

14. It is submitted that, by rejuvenate the Water Body, the Respondents are seeking to enhance water conservation, improve groundwater recharge, and create sustainable ecosystems for flora and fauna.

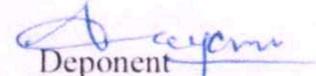
15. It is further submitted that, in light of the provisions of the Telangana Irrigation Act 1357 Fasli, which warrant stringent action against violators who destruct the lakes, tanks and other water bodies. It is submitted that, the HDYDRA has obtained the Administrative Sanction for restoration of the lake and Tendering process has been undertaken for Rejuvenation of the


Attestor


Deponent

Bum-Rukn-ud-Dowla lake, it is just and necessary in the interest of Justice that, the Interim Order dated 18.03.2025 in W.P.No.7778 of 2025 passed by this Hon`ble High Court may be vacated.

For the afore said reasons stated, it is therefore prayed that this Hon`ble court may be pleased to vacate the Interim order granted on 18.03.2025 in W.P.No.7778 of 2025 and dismiss the Writ petition as devoid of merits and pass such other order or orders as this Hon`ble Court may deem fit and proper in the circumstances of the case.


Deponent

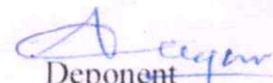
Solemnly affirmed before me
on this the 26th day of June,2025
at Hyderabad.

Attestor

VERIFICATION STATEMENT

I, A.Narayana S/o A Rajaiah, aged about 60 years, Occ: Executive Engineer, North Tanks Division, Hyderabad, do hereby state the contents of paragraphs (1 to 15) are true to the best of my knowledge and belief. Hence, verified on this the 26th day of June,2025 at Hyderabad.

Govt. Pleader for Irrigation & CADD.,


Deponent

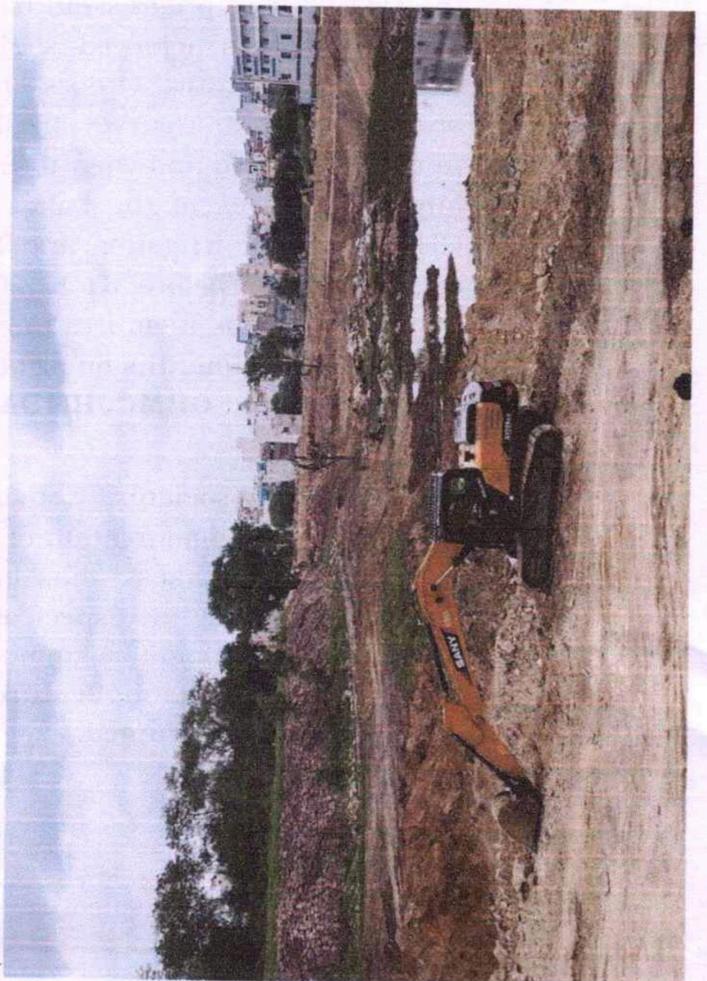
DISTRICT: RANGA REDDY

IN THE HIGH COURT FOR THE
STATE OF TELANGANA AT
HYDERABAD

W.P.NO. 7778 OF 2025

Counter Affidavit filed
by Respondent No.2

Filed by
Govt.Pleader for Irrigation &
CADD.,(15587)



**Minutes of the 16th Lake Protection Committee (LPC) Meeting held on
27.9.2017 at 10.30 A.M. in the Conference Hall of HMDA Office,
Tarnaka, Hyderabad**

- The Metropolitan Commissioner, HMDA and the Chairman, Lake Protection Committee (LPC) chaired the 16th LPC meeting.
- The Director, Urban Forestry, HMDA & Convener, LPC while welcoming all the members informed that the progress of certification of pending FTL Maps of the Lakes by the concerned Irrigation & Revenue departments is very poor, on account of which, out of 3132 Lakes only 165 Lakes have been finally notified which is a matter of concern. Accordingly, requested the concerned officials to coordinate with the Consultants M/s Aarvee Associates for completing the survey work of balance lakes on top priority and ensure that the final notification of the identified lakes are completed by 31.12.2017.

(Action: HMDA, Irrigation and Revenue Departments)

- The Metropolitan Commissioner, HMDA & Chairman, LPC while reviewing the District wise progress on Lake FTL Maps, expressed his dissatisfaction on the progress achieved so far and briefed the members about the Hon'ble High Court Orders in various Writ Petitions, wherein it was ordered to conduct survey of all lakes / tanks within the limits of GHMC to determine FTL and then to take action for removal of encroachments, if any in FTL area of the Lakes. The Hon'ble High Court also directed GHMC, HMDA, Irrigation and Revenue Department to complete the said exercise on or before 31.12.2016 which is already lapsed and further instructed all the members to complete the FTL demarcation of the Lakes within three (3) months on or before 31.12.2017.

(Action: GHMC, HMDA, Irrigation and Revenue Departments)

- M/s Aarvee Associates, Consultant of the HMDA explained about the progress of FTL demarcation of Lakes. The Consultant has informed that survey of 2534 Lakes has been completed out of total 3132 and for conducting survey in respect of the balance 598 Lakes, the assistance of Irrigation Department is immediately required to locate the FTLs of the lakes, since the existing features like bunds, weirs, sluice valves etc., are either destroyed or ruined.

(Action: Chief Engineer, Minor Irrigation)

- The Metropolitan Commissioner, HMDA and Chairman, LPC has invited attention of the members to the Minutes of the Meeting of the Chief Secretary to Government, Telangana State held on 30.03.2016, to review the activities of the LPC followed by 15th LPC meeting held on 28.10.2017 wherein the time lines for certification of pending FTL Maps were fixed as 31-03-2017 which has already expired. The Metropolitan Commissioner, HMDA and Chairman, LPC has requested the Collectors to sort out inter departmental issues with Revenue and Irrigation officials and expedite the survey work, verification and certification of Lakes for final notification so that the lakes / tanks can be protected and safeguarded from any encroachments / pollution. It is also instructed that the Irrigation officials at field level have to coordinate with the Consultants for completing the survey work of the balance lakes expeditiously and ensure that final notification of the identified lakes are completed by 31.12.2017

(Action: Collectors of concerned Districts in HMA area and Irrigation Department)

- The Metropolitan Commissioner, HMDA and Chairman, LPC has instructed the Superintending Engineer, North Tank Division, GHMC for completion of fencing of FTL around the lakes to avoid further encroachments in the GHMC Jurisdiction and take necessary action for removal of encroachments as per Hon'ble High Court Orders in various WPs/PILs.

(Action: GHMC)

- The Metropolitan Commissioner, HMDA and Chairman, LPC has instructed for reconciliation of number of Tanks and Lakes, in coordination with Irrigation Department and EPTRI for finalization of the number of Lakes for incorporation in the Master Plan.

(Action: Irrigation Dept. and EPTRI)

- It is brought to the notice of the Metropolitan Commissioner, HMDA and Chairman, LPC by the Superintending Engineer, HMDA that certification of 977 Lakes by Irrigation Department and 742 Lakes by Revenue Department is pending as such the issue of final notification of the FTL maps was held up. The Metropolitan Commissioner, HMDA and Chairman, LPC has instructed to expedite verification and certification of Lakes in order to achieve the targets by 31.12.2017.

(Action: Collectors of concerned Districts in HMA area and Irrigation Department)

- It is also brought to the notice of the Chairman & Members that since there is difference in FTL areas certified by the Irrigation Dept. and Revenue Dept., they are unable to certify the correct areas for final notification. The Metropolitan Commissioner and Chairman, LPC after discussions with the members has clarified that as per the decision taken in the meeting conducted by Chief Secretary held on 30.03.2016, the large area FTL has to be notified if there is a difference in FTL areas of Irrigation & Revenue Authorities respectively. Therefore, the FTL areas to be notified hence forth shall be as per larger area of the FTL areas certified by the Irrigation / Revenue department, as the case may be.

(Action: Collectors of concerned Districts in Hyderabad Metropolitan Area and Irrigation Department)

- The Metropolitan Commissioner, HMDA and Chairman LPC advised the concerned Collectors to address letters to the respective Sub-Registrars not to register the lands and properties included in the FTL and Buffer Zone of the Lakes notified, under Section 22(A) or relevant provision of Section (22) of the Registration Act duly communicating the details of survey numbers and the extent of the areas involved , and to publish the same in the District Gazette.

(Action : Collectors of concerned Districts in Hyderabad Metropolitan Area)

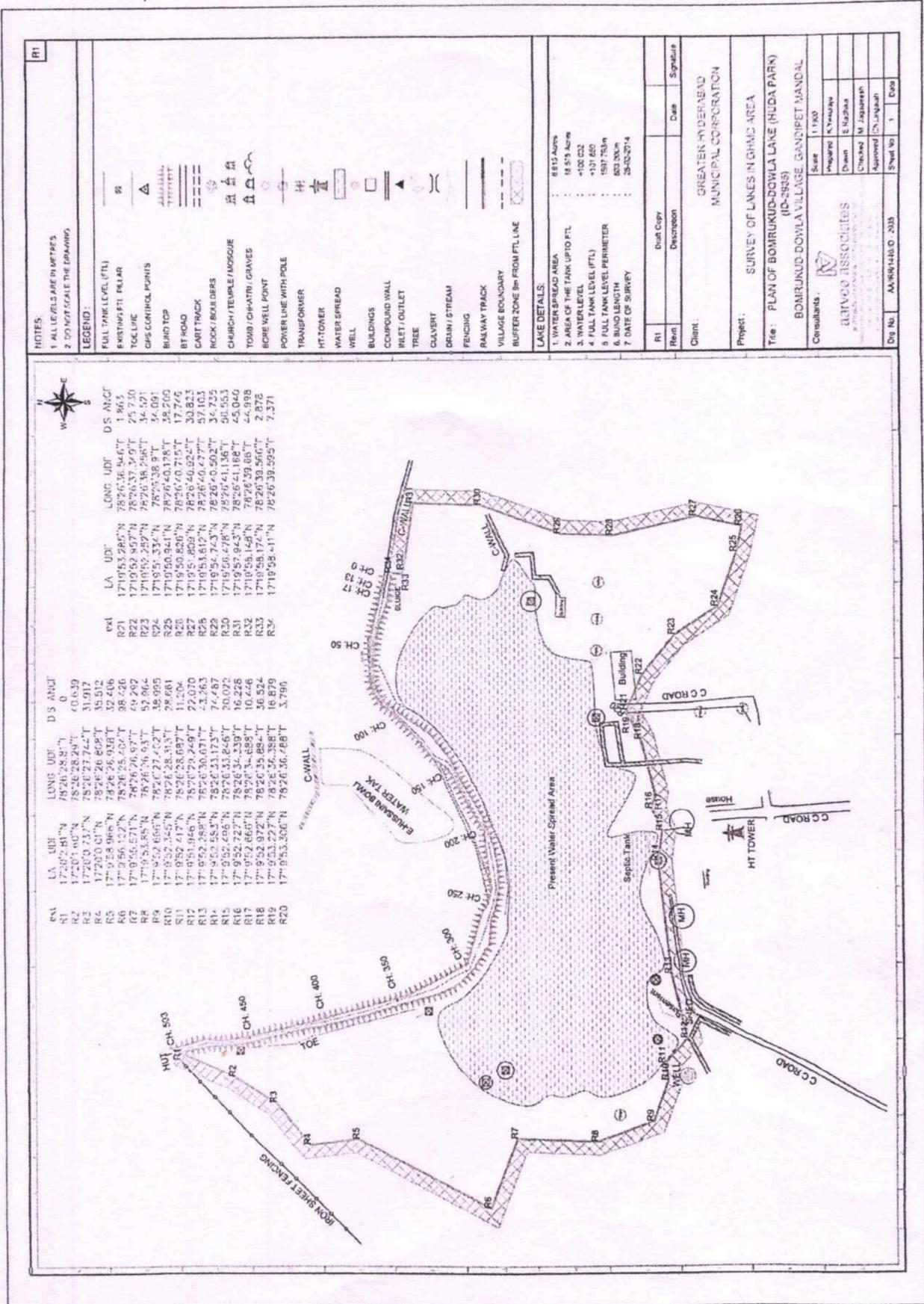
The meeting concluded with vote of thanks to all the members and requested to take necessary action by all the departments concerned for completion of the FTL demarcation and Cadastral Mapping for notification and placing on the website for public domain so that the information of the water spread area is available to everybody and the lakes are protected from the encroachments.

Sd/-
Metropolitan Commissioner,
HMDA

Annexure

Officers attended.

S. No	Name of the Officer Sarvasri / Smt.	Designation
1	B. Srinivas, IFS	Director, UF.HMDA & Convener, LPC
2	M. Shiva Prasad, IPS	Addl. Commissioner of Police, Hyderabad
3	K. Dharma Reddy,	Joint Collector, Medchal-Malkajigiri
4	P. Vishwanathan	Chief Environmental Engineer, TSPCB
5	Y. Shekar Reddy	Superintending Engineer, Irrigation(GHMC)
6	B. Mukesh	Chief General Manager(E), HMWS&SB
7	R. N. Chary	Joint Director, DT&CP
8	O. J. Madhu	RDO, Toopran
9	Mohd. Majid Shareef	Superintending Engineer-I, HMDA
10	S. Ramachandraiah	SDC, Yadadri – Bhongir
11	K. Sudhakar	Dy. Commissioner, Panchayatraj
12	A.Narsimha Reddy	SGDC-LP
13	S. Bheem Prasad	EE, IBD Division, Irrigation
14	B. Sunder	EE,IBD, Irrigation
15	J. Krishna Rao	Executive Engineer, Lakes, HMDA
16	Dr. L. Suri Naidu	Scientist, NGRI Ground Water
17	Shaili Maloo	Adviser, EPTRI
18	R. Dayanand	Dy.E.E. I&CAD Dept.
19	T. Venkata Praseeda	Dy.E.E. I&CAD Dept.
20	P. Veeranna	JCES(FAC), TSPCB
21	R. Venkateswarlu	AVP, M/s Aarvee Associates
22	Ch. Lingaiah	AVP, M/s Aarvee Associates
23	K Jaya Subba Reddy	Engineer, M/s Aarvee Associates



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NOTES:
 1. ALL LEVELS ARE IN METRES.
 2. DO NOT SCALE THE DRAWING.

LEGEND:

- FULL TANK LEVEL (FTL)
- EXISTING FTL PILLAR
- TOE LINE
- GPS CONTROL POINTS
- BUND TOP
- BT ROAD
- CART TRACK
- ROCK / BOULDERS
- CHURCH / TEMPLE / MOSQUE
- TOMB / CHHATRI / GRAVES
- BORE WELL POINT
- POWER LINE WITH POLE
- TRANSFORMER
- HT-TOWER
- WATER SPREAD
- WELL
- BUILDINGS
- COMPOUND WALL
- INLET / OUTLET
- TREE
- CULVERT
- DRAIN / STREAM
- FENCING
- RAILWAY TRACK
- VILLAGE BOUNDARY
- BUFFER ZONE 9m FROM FTL LINE

LAKE DETAILS:

- 1. WATER SPREAD AREA : 8.915 Acres
- 2. AREA OF THE TANK UPTO FTL : 18.575 Acres
- 3. WATER LEVEL : +100.032
- 4. FULL TANK LEVEL (FTL) : +101.850
- 5. FULL TANK LEVEL PERIMETER : 1597.793m
- 6. BUND LENGTH : 503.000m
- 7. DATE OF SURVEY : 28-02-2014

R1	Revn,	Draft Copy	Date	Signature
Client : GREATER HYDERABAD MUNICIPAL CORPORATION				
Project : SURVEY OF LAKES IN GHMC AREA				
Title : PLAN OF BOMRUKUD-DOWLA LAKE (HUDA PARK) (ID-2935)				
Consultants : BOMRUKUD-DOWLA VILLAGE, GANDIPET MANDAL				
 Scale 1:1800 Prepared K.Yesuraju Drawn E.Radhika Checked M. Jagadeesh Approved Ch.Lingaleth				
Drg. No.	AAURR/1440ID - 2935	Sheet No.	1	Date



Sy.Nos affecting under FTL/Buffer of Bumrukhdowla lake

S.No	Sy.No	Affected under FTL/Buffer	Encroachments removed in Sy.Nos
1	50/1	Partly affected in FTL and Bund	
2	50/2	Partly affected in Buffer	
3	50/3	Partly affected in FTL and Buffer	
4	50/6	Partly affected in FTL and Buffer	Encroachments were removed in Sy.No 40/1
5	41	Partly affected in FTL and Buffer	
6	40/1	Partly affected in FTL and Buffer	
7	42	Partly affected in FTL , Buffer and Bund	