

**BEFORE THE NATIONAL GREEN TRIBUNAL  
SOUTHERN ZONE, CHENNAI  
Original Application No. 22 of 2024**

**IN THE MATTER OF:**

SUO MOTU

....Applicant(s)

**VS**

District Collector  
Medchal – Malajigiri District,  
Telangana and Ors

.....Respondent(s)

**REPORT OF THE HMWSSB 3rd RESPONDENT**



Counsel For 2<sup>nd</sup> Respondent  
Mrs H. Yasmeen Ali

place: Chennai  
Date: 18.12.2024

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BEFORE THE NATIONAL GREEN TRIBUNAL,  
SOUTH ZONE, CHENNAI

Original Application No. 22 of 2024 (SZ)  
(SUO MOTU)

Between:

News item titled "Snow-like Chemical foam haunts"  
Appearing in Express News Service dated 08.09.2023. ....Appellants

And

Telangana State Pollution Control  
Board and Ors .....Respondent(s)  
[HMWSSB/Respondent No. 3]

**ADDITIONAL AFFIDAVIT/REPORT FILED BY THE  
HMWSSB/RESPONDENT No. 3.**

I, Vasa Sathyanarayana, S/o. Seetharamaiah, aged 59. years, Resident of Hyderabad, Occupation: Government Service, working as the General Manager (Engg) in Projects Division – IV, Hyderabad Metropolitan Water Supply and Sewerage Board (HMWSSB), Head office, Hyderabad, State of Telangana, do hereby sincerely state on oath as follows:-

1. I submit that I am the deponent herein and Respondent No. 3, I am working as the General Manager (Engg) in Projects Division – IV, Hyderabad

  
General Manager (Engg.)  
Project Division No. IV,  
H.M.W.S. & S. BORAD,  
Goshamahal, Hyderabad-12.

Metropolitan Water Supply and Sewerage Board (HMWSSB), as such I am well acquainted with the facts of the case as also I am authorized and competent to file this Counter Affidavit on behalf of Respondent No. 3.

2. The Hon'ble National Green Tribunal has passed an order dated 18.03.2024 in OA. No. 22 of 2024 (SZ) as follows:


*".....The HMWSSB is directed to verify the facts mentioned in the report of the Telangana State Pollution Control Board and also the relevancy regarding the copy of the order furnished in W.P. No.28313 of 2021. Let the report clearly and categorically state where the STP is now being constructed and how it is connected to the private patta land of the petitioner in the Writ Petition".*

3. In compliance of the above Order, HMWSSB submit below for kind consideration by this Hon'ble Tribunal.

**(A) HMWSSB is directed to verify the facts mentioned in the Report of TSPCB:**

(i) HMWSSB has verified the Report dated 25.09.2023 submitted by the TSPCB. The Status Report of TSPCB is factual position about the problem of pollution caused "Snow-like Chemical Foam" flowing through the Nala and joining the Pariki Cheruvu Lake. The major drain carrying domestic sewage, flowing from upstream of colonies and joining Pariki Cheruvu Lake.

(Engg.) Manager  
Project Division No. IV,  
H.M.W.S. & S. BORAD,  
Goshamahal, Hyderabad-12

  
General Manager (Engg.)  
Project Division No. IV,  
H.M.W.S. & S. BORAD,  
Goshamahal, Hyderabad-12.

- (ii) The other points narrated in the PCB's Report are as per the assessment made by the PCB and the PCB finally in its Report concluded that foam generation is largely due to the sudden physical impact of waste water outflows. The filamentous bacteria having the inherent bulking nature and turns in sustained foam during oxidation process at the water fall point, etc.
- (iii) It is to submit that no industries are located in the upstream of Pariki Cheruvu and domestic effluents from the surrounding areas are joining the lake. The study conducted by Engineering Staff College of India, Hyderabad has inferred that the cause for the foam formation was filamentous bacteria. To ensure treatment of Domestic Sewage joining the lake, HMWSSB has taken up the construction of STP (28 MLD) as explained above at Para - (B).

  
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(iv) HMWSSB has proposed to construct a Sewage Treatment Plant (STP) of 28 MLD Capacity on the upstream of Pariki Cheruvu Lake to treat the Sewage generated from the colonies. The State Government has issued Administrative Sanction Rs. 49.87 Crore towards cost of STP and the civil works have been started for construction of STP.

(v) It is to report that the solution for treatment of domestic sewage is only the way to treat such sewage by diverting into the proposed STP of 28 MLD Capacity on the upstream of Pariki Cheruvu Lake.


**(B). Relevancy regarding the order passed WP 28313/2021 dated 16.11.2021 by the Hon'ble High Court, Telangana.**

**(i) Proposal for construction 28 MLD Capacity STP at Pariki Cheruvu Lake.**

The proposed construction of STP on the upstream of Pariki Cheruvu Lake to treat sewage flow from the surrounding colonies

and the treated water will be let out in to Pariki Cheruvu Lake.

The construction of STP was already started in November, 2021 at a cost of Rs. 49.87 Cr.

  
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**(C) Relevancy of the order dated 16.11.2021 passed by the Hon'ble High Court in WP No. 28313 of 2021.**

(i) The Collector, Medchal-Malkajgiri District vide Proc.No.LC/2067/2021, dated 21.09.2021 in pursuance to requisition filed by the HMWSSB, has allotted land to HMWSSB in Sy.Nos.183/2, 190/2 (Ac.1.07 Gts) and Sy.No.336 (Ac. 3.33 Gts) aggregating Ac. 5.00 Gts for construction of 28 MLD capacity Sewerage Treatment Plant (STP), ancillary units, etc. and the HMWSSB has taken up the construction work of STP during 2021-2022.

(ii) During the period of work was in progress, the Petitioner, (Sri Chintapatla Hanumantha Rao) who is the owner of the adjacent lands, i.e., Sy.No.183/1, 190/1 has filed a WP No. 28313 of 2021 during November, 2021 before Hon'ble High Court of Telangana. The Hon'ble High Court has passed Interim directions in the above WP No.28313 of 2021 on 16.11.2021.

*"Written instructions dated 12.11.2021 on behalf of respondent No.5 is placed on record. However, a perusal of the said written instructions would indicate that, while the respondents claim that they are proceeding with the construction*

Goshamahal, Hyderabad-12  
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General Manager (Engg.)

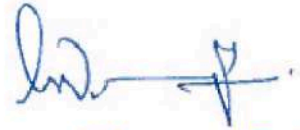
  
General Manager (Engg.)  
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*of sewerage plant in Sy.No.336 only, but the same does not address the contention of the petitioner that the said Sy.No.336 is situated on the south west of the tank, while Sy. No.190 of the petitioner is on the south east of the tank and more so the said Sy. No.336 where the respondents claim to be constructing the sewerage plant is behind the Sy.No.183 and near the bund of the tank. Thus, the written instructions do not provide any clarity as to the claim being made by the respondents.*

*In view of the above, pending further order, there shall be interim direction not to undertake any construction of STP in the lands of the petitioner in Sy.Nos.189/1, 190/1 of Moosapet Village, Kukatpally Mandal, Medchal-Malkajgiri District. "*


- (iii) The Orders of the Hon'ble High Court have been complied by this office and stopped the construction work of STP. However, the Petitioner has filed a Contempt Case No 97/2022 claiming the violation of orders passed by the Hon'ble High Court in WP No.28313/2021 dated 16.11.2021, where the Hon'ble High Court has passed for the orders dated 27.04.2022 as under in the above Contempt Case:-

*".....this court is of the view that the respondents are to be directed to make a request to the Commissioner of Settlement to depute a Senior authority for the purpose of conducting the aforesaid survey, upon conducting of joint survey, as directed above after issuing notice to the Petitioner, the Respondents shall place the Report before this court by the next hearing date i.e., on 17.06.2022".*



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- (iv) In compliance with the above orders of the Hon'ble High Court, the Collector, Medchal-Malkajgiri District vide Lr.No.LC/2067/2021, dated 25.05.2022 has requested the Commissioner & Director, SS&LR, Narayanguda, Hyderabad to conduct Survey in Sy.Nos. 336 of Kukatpally Village and Sy.Nos. 183/2/p and 190/2/p situated at Moosapet Village of Kukatpally Mandal, so as to submit the Survey Report before the Hon'ble High Court at the next date of hearing, so as to enable us to get the Stay Order vacated and take up the construction of STP in the subject lands. Accordingly, the Regional Deputy Director, Survey & Land Records, Hyderabad conducted the survey of subject lands and submitted Reports dated 27.10.2022 and 18.04.2023.
- (v) The above Surveys have been necessitated by Hon'ble High Court directions as there observed to be overlapping of lands of the Petitioner and HMWSSB. In the process, the 1<sup>st</sup> Survey, 2<sup>nd</sup> Survey and 3<sup>rd</sup> Survey (by RDD) have been conducted and Survey Reports have confirmed that there is over-lapping of lands between

  
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Petitioner's Sy.Nos. of 183/1 & 190/1 with HMWSSB's Sy.Nos. 183/2 & 190/2 (Ac. 1.07 Gts).


- (vi) The Hon'ble High Court has after considering the RDD's Survey Report dated 18.04.2023 has passed the following order in CC/97/2022 dated 01.02.2024 as follows:-

*"...Sri G.V.Maheswara Rao, Deputy Director, Office of Multi Zone -II, Commissioner, Survey and Land Record and the then Regional Deputy Director, Hyderabad present, and had shown the village map of Kukatpally and Moosapet and would submit that there is an overlap between the Village boundaries.*

*It is also to be seen that the Assistant Director, Survey and Land Records, Ranga Reddy District, at an earlier point of time, had submitted a joint inspection Report regarding the boundary dispute in respect of Sy. Nos.187 to 190 of Moosapet village of Balanagar Mandal and Sy.No.348/1of Qutubullahpur village and Mandal, wherein it has been stated that there is an overlapping area between the village boundaries, and as per the CCLA circular No. S1/1009/2011 dated 18-05-2011, the resolution of village boundary dispute should be dealt with under Section 90 and 91 of the AP (TA) LT Act, 1317 Fasli.*

*Admittedly, the said Report furnished is pending consideration before the CCLA Authority for its consideration and no action has been taken in spite of nearly a decade having been passed by.*

*This Court by taking note of the aforesaid aspect by order dated 16-11-2021 in I.A.No.1 of 2021 in W.P.No.28313 of 2021 restrained the respondent authority from undertaking construction of STP in the lands of the petitioners in Sy.Nos.189/1,190/1 of Moosapet Village, Kukatpally Mandal, Medchal-Malkajgiri District,*

  
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Project Division No. IV,  
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since it is contended that the 5<sup>th</sup> respondent Authority was proceeding with the construction of STP claiming that the lands in Sy.No.336 of Kukatpally and Sy.Nos.183 and 190 of Moosapet village have been allotted by the 2<sup>nd</sup> respondent authority for the aforesaid purpose.

However, as per the Report submitted by the Assistant Director to the CCLA Authority clearly indicates overlapping of boundaries between the two villages. Thus, it would be appropriate for the CCLA to finalize and take action on the Report submitted by the Assistant Director, Survey and Land Records, Ranga Reddy District in the year 2014 or in the alternative, the respondent authorities may explore the possibility of acquiring the land of the petitioners initiating appropriate proceedings under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 for construction of Sewerage Treatment Plant (STP).

List the matter in usual course. Liberty is granted to make a mention in the case of respondent authorities finding a resolution to the issue...."

(vii) It may be observed from the above Interim Order as per Para 2 and 5, the following options have been suggested:-

(a) Over-lapping of the Sy.Nos. 183/2 & 190/2 has been identified by the Revenue Department in the year 2014 and such matter has been referred to CCLA, but no decision is taken in spite of nearly a decade passed by; and

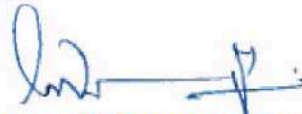
  
General Manager (Engg.)  
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(b) HMWSSB may explore the possibility to acquire the land of the Petitioner by initiating the appropriate proceedings under Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 for construction of STP.

(viii) HMWSSB has examined the entire issue taking into consideration the directions of the Hon'ble High Court (matter is pending before the Hon'ble High Court), while keeping in view the urgent requirement of the land that the first option as per the Para (vii) (a) above has been suggested by the Competent Authority of HMWSSB. That the issue of over-lapping of both the Survey Nos. was noticed sometime during the year 2014 vide Joint Inspection carried out by the Officials of Revenue Department and the matter was referred to CCLA and the Competent Authority of CCLA has to decide the dispute of over-lapping. The Hon'ble High Court has observed this dispute that a reference was already made to CCLA and accordingly passed an Interim Order as above (Para-2 and 3 of

the Hon'ble High Court order dated 01.02.2024.

  
**General Manager (Engg.)  
Project Division No. IV,  
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Interim Order as above (Para-2 and 3 of the Hon'ble High Court order dated 01.02.2024.

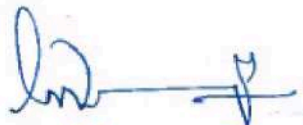
- (ix) HMWSSB has also examined the second option given above to acquire the land of the Petitioner to the extent of Ac. 1.07 Gts in Sy.No.183/2 and 190/2. But this option may not be feasible in view of the said land was already acquired by the Revenue Department from the Petitioner herein and allotted to HMWSSB.
- (x) We have requested the CCLA to expedite the decision in respect of dispute of over-lapping as explained above in view of reference made to CCLA during the year 2014, at the earliest so that we will be able to restart the construction of proposed STP of 28 MLD at Pariki Cheruvu. We would also like to inform that there is an urgency in construction of the above STP both from the point of view of treating erratic flow of sewer in the surrounding areas as also to adhere to the time line fixed by the Hon'ble National Green Tribunal, Principle Bench, New Delhi, vide its order dated 29.09.2022 in OA No.606/2018.



**General Manager (Engg.)  
Project Division No. IV,  
H.M.W.S. & S. BORAD,  
Goshamahal, Hyderabad-12**

4. We enclose the following Writ Petitions/Contempt Petitions (Affidavits), Counter Reply Affidavits filed by HMWSSB and Orders passed by the Hon'ble High Court since 2021 till date, for perusal by this Hon'ble Tribunal:

- (i) Writ Petition/Affidavit of WP No. 28313 of 2021 filed by the Petitioner on 09.11.2021 as **Annexure - I.**
- (ii) Counter /Reply Affidavit filed by HMWSSB on 27.04.2022 as **Annexure - II.**
- (iii) Contempt Case No. 97 of 2022 filed by the Petitioner on 04.01.2022 as **Annexure - III.**
- (iv) Counter/Reply filed by HMWSSB on 20.04.2022 as **Annexure - IV.**
- (v) Hon'ble High Court Order passed in WP/28313/2021 dt. 16.11.2021 as **Annexure - V.**
- (vi) Hon'ble High Court Order dt. 11.03.2022 in CC/97/2022 as **Annexure - VI.**
- (vii) Hon'ble High Court Order dt. 22.04.2022 in CC/97/2022 as **Annexure - VII.**
- (viii) Hon'ble High Court Order dt. 27.04.2022 in CC/97/2022 as **Annexure - VIII.**
- (ix) Hon'ble High Court Order dt. 29.07.2022 in CC/97/2022 as **Annexure - IX.**
- (x) Hon'ble High Court Order dt. 21/27.07.2023 in CC/97/2022 as **Annexure - X.**
- (xi) Hon'ble High Court Order dt. 01.02.2024 in CC/97/2022 as **Annexure - XI.**

  
**General Manager (Engg.)  
Project Division No. IV,  
H.M.W.S. & S. BORAD,  
Goshamahal, Hyderabad-12.**

(xii) Sketch/Map showing the Survey Nos. with overlap of the land area (Petitioner v/s Respondent) as **Annexure - XII**.

5. HMWSSB has also written a D.O Letter No. 4814/2020/296/3890, dated 10.09.2024 requesting the Collector, Medchal-Malkajgiri (copy enclosed as **Annexure - XIII**) to expedite the decision in over-lapping dispute between the Petitioner's land and HMWSSB's land.

6. At this state we are finding it difficult to shift the STP from the location where we have already started the work (But stopped the work due to Hon'ble High Court order). Hence, we are waiting for CCLA's decision in the dispute.

7. The Report filed by earlier January, 2024 may please be treated as part and parcel of this Report.

8. This is the submission of the Additional Counter Affidavit/Report before the Hon'ble National Green Tribunal for consideration and necessary further order or orders, if any as deem fit by the Hon'ble Tribunal.

Date: 21<sup>st</sup> September, 2024  
Place: Hyderabad.



**Deponent**

General Manager (Engg.)  
Project Division - IV  
HMWSSB, Hyderabad.

**General Manager (Engg.)  
Project Division No. IV,  
H.M.W.S. & S. BORAD,  
Goshamahal, Hyderabad-12.**

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7.	P1	Copy of the proceedings No.LC 2067/2021	21.09.2021	-do-	16-18
8.	P2	Copy of the application submitted under RTI Act	23.10.2021	-do-	- 19 -
9.	P3	Copy of complaint with translation	23.10.2021	-do-	20-22
10.	P4	Copy the judgement and decree in OS.No.618/2007	26.10.2018	-do-	23-37
11.	P5	Copy of the award in proc. No.G/4270./LA/72	31.03.1978	-do-	40-43
12.	P6	Copy of sale deed	02.09.1968	-do-	44-52
13.	P7	Copy of panchanama in File No.A3/930/2002/K3/1669/2002 PC/425/2002 with translation with map	30.05.2002	-do-	53-56
14.	P8	Copy of Joint survey report in Proceedings No.K3/1699/2014	21.11.2014	-do-	57-61
15.	P9	Copy of report submitted by the Tahsildar, Kukatpally to theRegistrar, Institution of Lokayuktha,State of Telangana in Lr.No.B/1106/2020	29.07.2021	-do-	62-64
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HYDERABAD

DATE: 30.10.2021

Counsel for the Petitioner

20 11 2021

MEMORANDUM OF WRIT PETITION  
(SPECIAL ORIGINAL JURISDICTION)  
(UNDER ART. 226 OF THE CONSTITUTION OF INDIA)  
HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD  
W.P. NO. 28313 OF 2021

Between:

1. Chinthapatla Hanumantha Rao S/o.Ch.Venkaiah  
Aged about 82 years, occ: Business, R/o.  
H.No.5-3-113, Kukatpally village & mandal  
Medchal Malkajgiri district represented by GPA Holder  
Ch.Anil Kumar S/o.Ch.Hanumantha Rao, aged about  
54 years, occ: Business, Villa No.37, Devi Stana  
Venkatrao Nagar, Kukatpally, Hyderabad.
2. Chinthapatla Jamuna W/o.late Chinthapatla Padma Rao  
Aged about 65 years, occ: Household,  
R/o.H.No.Villa No.48, Devi STana Venkatrao Nagar,  
Kukatpally village & mandal  
Medchal Malkajgiri district. ..Petitioners

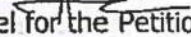
AND

- 1.The State of Telangana,  
Rep.by its Principal Secretary,  
Municipal Administration & Urban Development  
Department, Secretariat,  
Hyderabad.
- 2.The District Collector,  
Medchal Malkajgiri district.  
At Keesara
3. The Revenue Divisional Officer  
Malkajgiri division  
Medchal Malkajgiri district.
4. The Tahsildar,  
Kukatpally mandal  
Medchal Malkajgiri district.
5. The Hyderabad Metropolitan Water Supplies &  
Sewerage Board, Hyderabad, rep. by its  
Vice-Chairman and Managing Director  
Khairathabad, Hyderabad.
6. The Mega Engineering and Infrastructures Pvt. Ltd.,  
S-2 Balanagar, Techno Crates Industrial Estates,  
Andhra Bank Road, Hyderabad, represented by its  
Managing Director. ...Respondents.

The address for service on the above named Petitioners is that of  
their counsel Sri.A.Prabhakar Rao (35), Advocate, Plot No.252A, MLA's  
colony, Road No.12, Banjara Hills, Hyderabad - 38

For the reasons stated in the accompanying affidavit, it is hereby prayed that this Hon'ble Court may be pleased to issue a writ order or direction particularly one in the nature of Writ of Mandamus declaring action of the respondents in proposing to construct sewerage treatment plant in the land in Sy.No. 190/1, to an extent of Ac.5.00 gts surrounded by basement and a wooden gate, belongs to the petitioners situated adjacent to Pariki Cheruvu towards east, situated at Moosapet village, Kukatpally mandal, Medchal Malkajgiri district on the guise of treating the above land as Government land in Sy.No.336/P admeasuring Ac.3.33 gts, situated at Kukatpally village and Ac.1.07 gts in Sy.No.183/2/P and Sy.No.190/2/P, situated at Moosapet village, Kukatpally mandal, Medchal Malkajgiri district, total extent of Ac.5.00 gts, without following due process of law, as illegal, arbitrary and consequently direct the respondents not to construct STP Plant in the land of the petitioners in the above survey numbers, and pass such other order or orders may deem fit and proper in the circumstances of the case.

HYDERABAD  
DATE: 30.10.2021

  
Counsel for the Petitioners

## HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

W.P.NO. 28313 OF 2021

## LIST OF EVENTS

## Annexure - I

S.No	Date of document	Description of the Events	Page No.	Para No.
1		the present writ petition is filed questioning action of the respondents in proposing to construct sewerage treatment plant in the land in Sy.No. 190/1, to an extent of Ac.5.00 gts belongs to the petitioners on the guise of treating the above land as Government land in Sy.No.336/P admeasuring Ac.3.33 gts, situated at Kukatpally village and Ac.1.07 gts in Sy.No.183/2/P and Sy.No.190/2/P, situated at Moosapet village, Kukatpally mandal, Medchal Malkajgiri district, total extent of Ac.5.00 gts, adjacent to Pariki cheruvu, without following due process of law, as the same is illegal, arbitrary.	9	2
2	02.09.1968	The father of the petitioner and the husband of the 2 <sup>nd</sup> petitioner i.e., late Chinthapatla Padma Rao purchased the land in Sy.No.183 admeasuring Ac.12.29 gts, in Sy.No.184 admeasuring Ac.16.15 gts, Sy.No.186 admeasuring Ac.17.07 gts, Sy.No.187 admeasuring Ac.15.05 gts, Sy.No.188 admeasuring Ac.10.18 gts, Sy.No.189 Ac.13.24 gts, Sy.No.190 admeasuring Ac.19.04 gts total admeasuring Ac.104.22 gts under registered sale deed dated 02.09.1968 registered as document No.1225 of 1968 from Mir Fazalullah and others. Since then the petitioners are in possession and enjoyment of the afore said land.	9	3
3	31.03.1978	the Government has acquired the lands of the petitioners in Sy.No.183, admeasuring Ac.10.20 gts out of Ac.12.19 gts, Sy.No.184 Ac.11.31 gts out of Ac.16.15 gts, Sy.No.186 admeasuring Ac.1.17 gts out of Ac.17.07 gts. In Sy.No.187 Ac.4.22 gts out of Ac.15.05 gts . In Sy.No.188 Ac.0.14gts out of Ac.10.18 gts, in Sy.No.189 Ac.8.39 gts out of Ac.13.24 gts, in Sy.No.190 Ac.7.18 gts out of Ac.19.04 gts, total admeasuring Ac.45.01 for pariki cheruvu and award was passed vide proceedings No.G/4270/LA/ 72 dated 31.03.1978 awarding a sum of Rs.17,988.97rs by the Special Deputy Collector, Land Acquisition General Hyderabad. The extent of land owned by the petitioners and the extent of the land acquired by the Land Acquisition Officer is clearly stated in the tabular form as under.	9	4 3(c)
4	30.05.2002	I submit that on an application submitted by the petitioners a team of survey officials consist of Inspector of Survey and Land Records, Ranga		5

		Reddy district and other officials visited the site and surveyed the land of the petitioners i.e., in Sy.No.183/1 admeasuring Ac.2.09 gts, Sy.No.184/1 admeasuring Ac.4.24 gts, Sy.No.186/1 admeasuring Ac.15.30 gts, Sy.No.187/1 Ac.10.23 gts, Sy.No.188/1 Ac.10.04 gts, Sy.No.189/1 Ac.4.25 gts, Sy.No.190/1 Ac.11.26 gts total admeasuring Ac.59.21 gts on 30.05.2002 and demarcated the boundaries under a panchanama vide file No.A3/920/2002 and prepared a map vide proceedings K3/1669/2002 and PC No.425 of 2002.		
5	28.11.2013 25.02.2014 26.10.2018	while the above suit was pending for adjudication, one Boina Venkatesh S/o.Narsaiah filed a complaint before the Hon'ble Lokayukta alleging that the petitioners encroached into Government land. In pursuance thereof, the Hon'ble Lokayukta was pleased to pass an order dated 28.11.2013 in letter Dis. No.3613/2012/B1/LOK/6243/2013 directing the Collector, R.R. District to conduct Joint Survey for ascertaining truth or otherwise of the allegations made against the petitioners. In pursuance thereof the District Collector, R.R.District by an order dated 25.02.2014 in letter No.LP.4/581/2013 ordered joint inspection and survey. The team of officials comprising, Revenue Divisional Officer, Rajendera nagar division, Revenue Divisional Officer, Malkajgiri division, Asst. Director Survey and Land Records Ranga Reddy district and the Tahsildar, Qutubullapur mandal conducted spot inspection of the land and surveyed the land with the help of village map and prepared a report in respect of total land held by the petitioners in the above survey numbers. In the report it was stated that the Government land in Sy.No.348 pertains to qutubullapur village is over lapping on the land of the petitioners in Sy.No.183 to 190 of Moosapet village which are recorded as private patta land to an extent of Ac.14.36 gts which is to be deleted from Sy.No.348 of Qutubullapur village by obtaining orders from the Competent Authority i.e., the District Collector and CCLA. The issue relates to deletion of overlapping is still pending with the District Collector and the CCLA. The suit OS.No. 618 of 2007 was decreed after due contest granting permanent injunction restraining the defendants from interfering with suit scheduled properties admeasuring Ac.59.21 gts in the afore said survey numbers vide judgement dated 26.10.2018.	11	6
6		that one Bade Anjaneya Prasad S/o.Mohan Rao	12	7


		filed a complaint No.609/2020/B1 before the Hon'ble Lokayukta, State of Telangana against the District Collector, Medchal Malkajgiri district stating that the revenue officials are interfering with his peaceful possession and enjoyment over the house site purchased by him from the petitioners herein. In the said case, the Tahsildar, Kukatpally mandal, submitted a detailed report vide letter No.B/1106/2020 dated 29.07.2021 to the Registrar, Hon'ble Lokayukta, State of Telangana in which he has furnished the details of the land purchased by the petitioners and acquisition of land by the Government and the details of the land in occupation of the petitioners. The Tahsildar submitted another report vide letter No.B/1106/2020 dated 07.10.2020 to the Registrar, Hon'ble Lokayukta, State of Telangana reiterating the same facts.	12	7
7	21.09.2021	that the District Collector, Medchal Malkajgiri district issued orders in proceedings No. LC/2067/2021 dated 21.09.2021 pursuant to the requisition given by the Managing Director, Hyderabad Metropolitan Water Supply and Sewerage Board for alienation of Government land to an extent of Ac.6.32 gts in Sy.No.336, situated at Kukatpally village and mandal, Medchal Malkajgiri district for construction of sewerage treatment plants and ancillary units, whereby granting permission to the Managing Director, HMWS & SB, Hyderabad to utilize government land in Sy.no.336/P to an extent of Ac.3.33 gts and Ac.1.07 gts in Sy.No.183/2/P and Sy.no.190/2/P situated at Moosapet village, Kukatpally mandal total admeasuring Ac.5.00 gts for construction of 28 MLD capacity sewerage treatment plant ancillary units on certain conditions.	12	8

ANNEXURE-II

Under Article 226 of Constitution of India

Under section 151 of CPC

HYDERABAD  
DATE: 30.10.2021

  
Counsel for the Petitioners

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

W.P.NO. 28313 OF 2021

Between:

1. Chinthapata Hanumantha Rao S/o.Ch.Venkaiah  
Aged about 82 years, occ: Business, R/o.  
H.No.5-3-113, Kukatpally village & mandal  
Medchal Malkajgiri district represented by GPA Holder  
Ch.Anil Kumar S/o.Ch.Hanumantha Rao, aged about  
54 years, occ: Business, Villa No.37, Devi Stana  
Venkatrao Nagar, Kukatpally, Hyderabad.

2. Chinthapata Jamuna W/o.late Chinthapata Padma Rao  
Aged about 65 years, occ: Household,  
R/o.H.No.Villa No.48, Devi Stana Venkatrao Nagar,  
Kukatpally village & mandal  
Medchal Malkajgiri district. ..Petitioners

AND

1. The State of Telangana,  
Rep. by its Principal Secretary,  
Municipal Administration & Urban Development  
Department, Secretariat,  
Hyderabad.

2. The District Collector,  
Medchal Malkajgiri district.  
At Keesara

3. The Revenue Divisional Officer  
Malkajgiri division  
Medchal Malkajgiri district.


4. The Tahsildar,  
Kukatpally mandal  
Medchal Malkajgiri district.

5. The Hyderabad Metropolitan Water Supplies &  
Sewerage Board, Hyderabad, rep. by its  
Vice-Chairman and Managing Director  
Khairathabad, Hyderabad.

6. The Mega Engineering and Infrastructures Pvt. Ltd.,  
S-2 Balanagar, Techno Crates Industrial Estates,  
Andhra Bank Road, Hyderabad, represented by its  
Managing Director. ...Respondents.

AFFIDAVIT

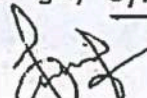
I, Ch.Anil Kumar S/o.Ch.Hanumantha Rao, aged about 54 years,  
occ: Business, Villa No.37, Devi Stana Group Housing, Venkatrao Nagar,  
Kukatpally, Hyderabad. do hereby solemnly and sincerely affirm and  
state as follows:



1. I submit that I am the G.P.A Holder and son of the 1<sup>st</sup> petitioner herein and as such I am well acquainted with the facts of the case and also I am authorized to file this affidavit on behalf of the 2<sup>nd</sup> petitioner herein.
2. I submit that the present writ petition is filed questioning action of the respondents in proposing to construct sewerage treatment plant in the land in Sy.No. 190/1, to an extent of Ac.5.00 gts belongs to the petitioners on the guise of treating the above land as Government land in Sy.No.336/P admeasuring Ac.3.33 gts, situated at Kukatpally village and Ac.1.07 gts in Sy.No.183/2/P and Sy.No.190/2/P, situated at Moosapet village, Kukatpally mandal, Medchal Malkajgiri district, total extent of Ac.5.00 gts, adjacent to Pariki cheruvu, without following due process of law, as the same is illegal, arbitrary. Brief facts which are necessary to appreciate the issues involved in this writ petition, are stated hereunder.
3. I submit that my father and the husband of the 2<sup>nd</sup> petitioner i.e., late Chinthapatla Padma Rao purchased the land in Sy.No.183 admeasuring Ac.12.29 gts, in Sy.No.184 admeasuring Ac.16.15 gts, Sy.No.186 admeasuring Ac.17.07 gts, Sy.No.187 admeasuring Ac.15.05 gts, Sy.No.188 admeasuring Ac.10.18 gts, Sy.No.189 Ac.13.24 gts, Sy.No.190 admeasuring Ac.19.04 gts total admeasuring Ac.104.22 gts under registered sale deed dated 02.09.1968 registered as document No.1225 of 1968 from Mir Fazalullah and others. Since then the petitioners are in possession and enjoyment of the afore said land.
- 3c) I submit that the Government has acquired the lands of the petitioners in Sy.No.183, admeasuring Ac.10.20 gts out of Ac.12.19 gts, Sy.No.184 Ac.11.31 gts out of Ac.16.15 gts, Sy.No.186 admeasuring Ac.1.17 gts out of Ac.17.07 gts. In Sy.No.187 Ac.4.22 gts out of Ac.15.05 gts . In Sy.No.188 Ac.0.14gts out of Ac.10.18 gts, in Sy.No.189 Ac.8.39 gts out of Ac.13.24 gts, in Sy.No.190 Ac.7.18 gts out of Ac.19.04 gts, total admeasuring Ac.45.01 for pariki cheruvu and award was passed vide proceedings No.G/4270/LA/ 72 dated 31.03.1978 awarding a sum of Rs.17,988.97ps by the Special Deputy Collector, Land Acquisition General Hyderabad. The extent of land owned by the petitioners and the extent of the land acquired by the Land Acquisition Officer is clearly stated in the tabular form as under.

Survey No.	Total extent Ac.gts	Land Acquired Ac.gts	Balance left pattadar Ac.gts	land with
183	12-19 ✓	10-20 ✓	2-09	
184	16-15 ✓	11-31 ✓	4.24	
185	--	--	--	
186	17.07 ✓	1-17 ✓	15.30	
187	15-05 ✓	4-22 ✓	10.23	
188	10.18 ✓	0-14 ✓	10.04	
189	13.24 ✓	8.39 ✓	4.25	
190	19.04 ✓	7.18 ✓	11.26	
Total	104.22	45.01 ✓	59.21	

4. I submit that the respondents built a tank bund to the Pariki cheruvu and also erected a fencing covering the entire land acquired under Land Acquisition Act. I submit that on an application submitted by the petitioners a team of survey officials consist of Inspector of Survey and Land Records, Ranga Reddy district and other officials visited the site and surveyed the land of the petitioners i.e., in Sy.No.183/1 admeasuring Ac.2.09 gts, Sy.No.184/1 admeasuring Ac.4.24 gts, Sy.No.186/1 admeasuring Ac.15.30 gts, Sy.No.187/1 Ac.10.23 gts, Sy.No.188/1 Ac.10.04 gts, Sy.No.189/1 Ac.4.25 gts, Sy.No.190/1 Ac.11.26 gts total admeasuring Ac.59.21 gts on 30.05.2002 and demarcated the boundaries under a panchanama vide file No.A3/920/2002 and prepared a map vide proceedings K3/1669/2002 and PC No.425 of 2002. The petitioners constructed basement and compound wall in accordance with the boundaries fixed by the Inspector of Survey & land records, Ranga Reddy District and other officials. The petitioners laid a layout on the land held by us and sold an extent of about 40 acres to various third parties and most of the purchasers constructed their houses. The petitioners constructed a basement in some extent and compound wall in other extents around the land in Sy.No.183/1 admeasuring Ac.2.09 gts, Sy.No.184/1 admeasuring Ac.4.24 gts, Sy.No.186/1 admeasuring Ac.15.30 gts, Sy.No.187/1 Ac.10.23 gts, Sy.No.188/1 Ac.10.04 gts, Sy.No.189/1



Ac.4.25 gts, Sy.No.190/1 Ac.11.26 gts total admeasuring Ac.59.21 gts. The land in Sy.No.183/1 admeasuring Ac.2.09 gts and 184/1 admeasuring Ac.4.24 gts were situated towards west side of the Pariki Cheruvu. Sy.No.186/1 admeasuring Ac.15.13 gts, Sy.No.187/1 admeasuring Ac.10.23 gts, Sy.No.188/1 admeasuring Ac.10.04 gts, 189/1 admeasuring Ac.4.25 gts and Sy.No.190/1 admeasuring Ac.11.26 gts are situated towards eastern side of Pariki Cheruvu as is evident from the plan prepared by the officials of the Irrigation Department.

5. I submit that the Mandal Revenue Officer, Balanagar mandal, Mandal Revenue Officer, Qutubullapur mandal came to the land belongs to the petitioners under a wrong premise that the said land is a Government land falling under Sy.No.348 of Gajula Ramaram village and proposed to construct houses under Rajiv Gruhakalpa Scheme through A.P.Housing Board for weaker sections. The petitioners filed O.S.No.618 of 2007 in the Court of the XIII Addl. District and Sessions Judge: Ranga Reddy district at L.B.Nagar by making the Govt. of Andhra Pradesh represented by the District Collector, R.R.District, at Lakdikapul, Mandal Revenue Officer, Balanagar, the Mandal Revenue Officer, Qutubullapur mandal and A.P.Housing Board, represented by Vice-Chairman and Managing Director as defendants with a prayer to grant permanent injunction restraining the defendants in the above suit from interfering with peaceful possession and enjoyment of the petitioners over the suit schedule property.

6. I submit that while the above suit was pending for adjudication, one Boina Venkatesh S/o.Narsaiah filed a complaint before the Hon'ble Lokayukta alleging that the petitioners encroached into Government land. In pursuance thereof, the Hon'ble Lokayukta was pleased to pass an order dated 28.11.2013 in letter Dis. No.3613/2012/B1/LOK/6243/2013 directing the Collector, R.R. District to conduct Joint Survey for ascertaining truth or otherwise of the allegations made against the petitioners. In pursuance thereof the District Collector, R.R.District by an order dated 25.02.2014 in letter No.LP.4/581/2013 ordered joint inspection and survey. The team of officials comprising, Revenue Divisional Officer, Rajendera nagar

division, Revenue Divisional Officer, Malkajgiri division, Asst. Director Survey and Land Records Ranga Reddy district and the Tahsildar, Qutubullapur mandal conducted spot inspection of the land and surveyed the land with the help of village map and prepared a report in respect of total land held by the petitioners in the above survey numbers. In the report it was stated that the Government land in Sy.No.348 pertains to qutubullapur village is over lapping on the land of the petitioners in Sy.No.183 to 190 of Moosapet village which are recorded as private patta land to an extent of Ac.14.36 gts which is to be deleted from Sy.No.348 of Qutubullapur village by obtaining orders from the Competent Authority i.e., the District Collector and CCLA. The issue relates to deletion of overlapping is still pending with the District Collector and the CCLA. The suit OS.No. 618 of 2007 was decreed after due contest granting permanent injunction restraining the defendants from interfering with suit scheduled properties admeasuring Ac.59.21 gts in the afore said survey numbers vide judgement dated 26.10.2018.

7. I submit that one Bade Anjaneya Prasad S/o.Mohan Rao filed a complaint No.609/2020/B1 before the Hon'ble Lokayukta, State of Telangana against the District Collector, Medchal Malkajgiri district stating that the revenue officials are interfering with his peaceful possession and enjoyment over the house site purchased by him from the petitioners herein. In the said case, the Tahsildar, Kukatpally mandal, submitted a detailed report vide letter No.B/1106/2020 dated 29.07.2021 to the Registrar, Hon'ble Lokayukta, State of Telangana in which he has furnished the details of the land purchased by the petitioners and acquisition of land by the Government and the details of the land in occupation of the petitioners. The Tahsildar submitted another report vide letter No.B/1106/2020 dated 07.10.2020 to the Registrar, Hon'ble Lokayukta, State of Telangana reiterating the same facts.

8. I submit that the District Collector, Medchal Malkajgiri district issued orders in proceedings No. LC/2067/2021 dated 21.09.2021 pursuant to the requisition given by the Managing Director, Hyderabad Metropolitan Water Supply and Sewerage Board for alienation of Government land to an extent of Ac.6.32 gts in Sy.No.336, situated at

Kukatpally village and mandal, Medchal Malkajgiri district for construction of sewerage treatment plants and ancillary units, whereby granting permission to the Managing Director, HMWS & SB, Hyderabad to utilize government land in Sy.no.336/P to an extent of Ac.3.33 gts and Ac.1.07 gts in Sy.No.183/2/P and Sy.no.190/2/P situated at Moosapet village, Kukatpally mandal total admeasuring Ac.5.00 gts for construction of 28 MLD capacity sewerage treatment plant ancillary units on certain conditions. The District Collector in his orders directed the Tahsildar, Kukatpally to handover the land in Sy.no.336/P to an extent of Ac.3.33 gts and Ac.1.07 gts in Sy.No.183/2/P and Sy.no.190/2/P situated at Moosapet village, Kukatpally in favour of Mg. Director, HMWS & SB, Hyderabad for construction of 28 MLD capacity sewerage treatment plant and ancillary units.

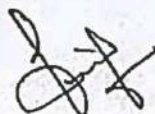
9. I submit that the Tahsildar, pursuant to the orders passed by the District Collector, Medchal Malkajgiri district dated 21.09.2021 allotted the land of the petitioners in Sy.no.190/1 to an extent of Ac.5.00 gts in favour of Mg. Director, HMWS & SB, Hyderabad. I submit that the Collector passed orders in respect of the Government land in Sy.No.336/P, admeasuring Ac.3.36 gts, an extent of Ac.1.07 in Sy.No.183/2/P and Sy.No.190/2/P situated at Moosapet village, whereas the Tahsildar, Kukatpally has entered into the land of the petitioners which is covered by basement and compound wall, gave marking to an extent of Ac.5.00 gts in Sy.No.190/1. Thus the action of the Tahsildar, Kukatpally is illegal, arbitrary and contrary to the decree passed in O.S.No.618 of 2007 dated 26.10.2018.

10. I submit that it is relevant to submit here that the land of the petitioners in Sy.No.183 to 190 was surveyed by the team of revenue officials and survey officials twice and demarcated the boundaries. After acquiring the land by the Government, the land held by the petitioners numbered as Sy.No.183/1, 184/1, 186/1, 187/1, 188/1, 189/1, 190/1. Whereas the land acquired by the Government was numbered as survey numbers i.e., Sy.No.183/2, 184/2, 186/2, 187/2, 188/2, 189/2, 190/2. In pursuance of the survey and demarcation of boundaries by the survey and land records officials the petitioners constructed a basement and compound wall to some extent in

accordance with boundaries fixed by the Survey officials and Revenue officials to protect the land from encroachment. The respondents after acquiring the lands of the petitioners for Pariki Cheruvu constructed a bund covering the entire land acquired by them. The Government did not leave any land in Sy.No.183/2/P and Sy.No.190/2/P outside the bund as the land acquired in Sy.No.183/2 and Sy.No.190/2 is within the boundary i.e., bund. The land in Sy.No.336/P is also not available at the site. The entire land in Sy.No.183/2 and Sy.No.190/2 is covered by water body and bund. No land in Sy.No.183/2, Sy.No.190/2 and Sy.No.336/P is available at the site as is evident from the plan prepared by the respondents after conducting survey. I submit that in the award passed by the Land Acquisition officer in proceedings No.G/4270/LA/72 dated 31.03.1978 clearly shown the boundaries of the land acquired by the respondents in respect of Sy.No.183/2, 184/2, 186, 187/2, 188/2, 189/2, 190/2. In any of these survey numbers, the land in Sy.No.336/P was not shown as a boundary. Further the land of the petitioners in the above survey numbers were shown towards the boundary of the lands acquired by the respondents. The Tahsildar without any proper verification of the boundaries of the lands of the petitioners wrongly allotted the land of the petitioners to the Mg. Director, HMWS & SB, Hyderabad without following due procedure who in turn allotted to Megha Engineering and Infrastructure Limited. The employees of the 6<sup>th</sup> respondent visited the land of the petitioners where marking was given by the Tahsildar and tried to commence the work. The petitioners objected from proceeding with the work by stating that the proposed work is on the land of the petitioners. The action of the respondents in allotting the land of the petitioners to the respondent No.5 is illegal, arbitrary.

11. I submit that I have no other alternative remedy except to invoke the extraordinary jurisdiction of this Hon'ble Court under Article 226 of the Constitution of India.

12. I submit that I have not filed any writ petition, suit or initiated any other proceedings before any Court of Law for the reliefs sought herein this writ petition.



13. In view of the above stated facts, it is prayed that this Hon'ble Court may be pleased to issue a writ order or direction particularly one in the nature of Writ of Mandamus declaring action of the respondents in proposing to construct sewerage treatment plant in the land in Sy.No. 190/1, to an extent of Ac.5.00 gts surrounded by basement and a wooden gate, belongs to the petitioners situated adjacent to Pariki Cheruvu towards east, situated at Moosapet village, Kukatpally mandal, Medchal Malkajgiri district on the guise of treating the above land as Government land in Sy.No.336/P admeasuring Ac.3.33 gts, situated at Kukatpally village and Ac.1.07 gts in Sy.No.183/2/P and Sy.No.190/2/P, situated at Moosapet village, Kukatpally mandal, Medchal Malkajgiri district, total extent of Ac.5.00 gts, without following due process of law, as illegal, arbitrary and consequently direct the respondents not to construct STP Plant in the land of the petitioners in the above survey numbers, and pass such other order or orders may deem fit and proper in the circumstances of the case.

14. For the reasons stated above, it is prayed that this Hon'ble Court may be pleased to direct the respondents not to construct STP plant in the lands of the petitioner i.e., in Sy.No. 190/1, to an extent of Ac.5.00 gts, which is covered by basement with wooden gate, situated at Moosapet village, Kukatpally mandal, Medchal Malkajgiri district, pending disposal of the above writ petition and pass such other order or orders may deem fit and proper in the circumstances of the case.

Solemnly and sincerely affirm this  
the 30<sup>th</sup> October, 2021 and signed  
his name in my presence.

  
DEPONENT

ADVOCATE : HYDERABAD  
VERIFICATION STATEMENT

I, Ch.Anil Kumar S/o.Ch.Hanumantha Rao, aged about 54 years, occ: Business, Villa No.37, Devi Stana Group Housing, Venkatrao Nagar, Kukatpally, Hyderabad, being the petitioner/ person acquainted with the facts do hereby verify and state that the contents of the above paras of the Affidavit are true and correct to the best of my knowledge. Hence verified at on this the day of 30.10.2021.

  
ADVOCATE

- 27 -

  
DEPONENT

PROCEEDINGS OF THE COLLECTOR, MEDCHAL MALKAJGIRI DISTRICT  
PRESENT: Dr. S.HARISH, IAS.

Prnc. No. LC/2067/2021

Dated 21.09.2021

**Sub:** Land Alienation - Medchal-Malkajgiri District - Malkajgiri Division  
Kukatpally Mandal - Kukatpally Village - Sy.No.336/p - Extent Ac.3-33  
gts and - An extent of Ac.1-07 gts in Sy.Nos.183/2/p & 190/2/p -  
Allotment of land for Construction of STP - Advance Possession - Orders  
Issued - Reg

**Ref:** 1. Spl. CS to Govt., MA&UD [PLG.I(2)] Dept., Memo No.11456/Plg.I(2)/2021,  
Dated.30.08.2021  
2. Tahsildar, Kukatpally Mandal, Lr.No.B/1299/2021, dated.06.09.2021,  
3. Govt. Memo.No.20264/ Assn.I (1)/2013, dated.06.11.2013.

&&&

**ORDER:**

Through the reference 1<sup>st</sup> cited, the Special Chief Secretary to Govt., MA&UD [PLG.I(2)] Department has informed that, the MD, HMWS&SB has submitted proposals in prescribed proforma along with Annexure XI for alienation of Govt. land to an extent of Ac.6.32 gts in Sy.No.336 situated at Kukatpally Village, Kukatpally Mandal, Medchal Malkajgiri District in favour of HMWS&SB, Hyderabad for construction of 28 MLD capacity Sewerage Treatment Plants and ancillary units etc and requested to take necessary action as per G.Os.No.571 and to hand over advance possession of the above proposed Govt. land to MD, HMWS&SB, Hyderabad.

In this regard, vide reference 2<sup>nd</sup> cited, the Tahsildar, Kukatpally Mandal has reported that according to the survey conducted, the Government land to an extent of Ac.3-33 gts in Sy.No.336/p of Kukatpally Village and the shikam land to an extent of Ac.1-07 gts in Sy.Nos.183/2/p & 190/2/p of Moosapet Village are found vacant on ground.

Further reported that as per 2015-16 pahani of Kukatpally Village, Sy.No.336 extent Ac.226-29 gts is recorded as Gairan Sarkari, as per 2015-16 pahani of Moosapet Village, Sy.No. 183/2 extent Ac.10-20 gts is recorded as Pariki Cheruvu Shikam and Sy.No.190/2 extent Ac.7-18 gts is recorded as Pariki Cheruvu Shikam. Further, the land to an extent of Ac.3-33 gts in Sy.No.336/p of Kukatpally Village and extent of Ac.1-07 gts in Sy.Nos.183/2/p & 190/2/p of Moosapet Village may be proposed for construction of Sewerage Treatment Plant and ancillary units.

Vide reference 3<sup>rd</sup> cited, the Government has accorded permission to the District Collector for advance possession of Govt. land in case of transfer of Govt. land, i.e., one Govt. Department to another Govt. Department (under BSO-23) subject to furnishing regular alienation / transfer of land proposals in full-shape after following the due procedure as requested in terms of G.Os.No.571 read with G.Os.No.61 to the Land Management Authority.

Therefore in view of the above, permission is hereby accorded to the MD, HMV&SB, Hyderabad to utilize the Govt. Land in Sy.No.336/p to an extent of 3.33 Gts and to an extent of Ac.1-07 gts in Sy.Nos.183/2/p & 190/2/p situated at Moosapet Village, Kukatpally Mandal for Construction of 28 MLD capacity Sewerage Treatment Plants and ancillary units etc. with the following conditions:

- 1 To fence the land and to use only for the purpose of STP.
- 2 The title of the land is vested with the Government.
- 3 The Government may take over the land as on when the land required for other public purpose.
- 4 If the land is not utilized, for the above purpose within (3) months the same will be taken back without any notice.

The Tahsildar, Kukatpally Mandal is hereby directed to handover the land in Sy.No.336/p to an extent of 3.33 Gts and to an extent of Ac.1-07 gts in Sy.Nos.183/2/p & 190/2/p situated at Moosapet Village, Kukatpally Mandal to the MD, HMV&SB, Hyderabad for Construction of 28 MLD capacity Sewerage Treatment Plants and ancillary units etc duly demarcate on ground and clearly showing the boundaries under cover panchanama and to submit regular alienation proposals in full shape.

ISSUED UNDER  
RTI ACT

Sd/-  
Collector & District Magistrate,  
Medchal Malkajgiri District.

//Attested//

*[Signature]*  
Superintendent, Collectorate,  
Medchal Malkajgiri District.

To

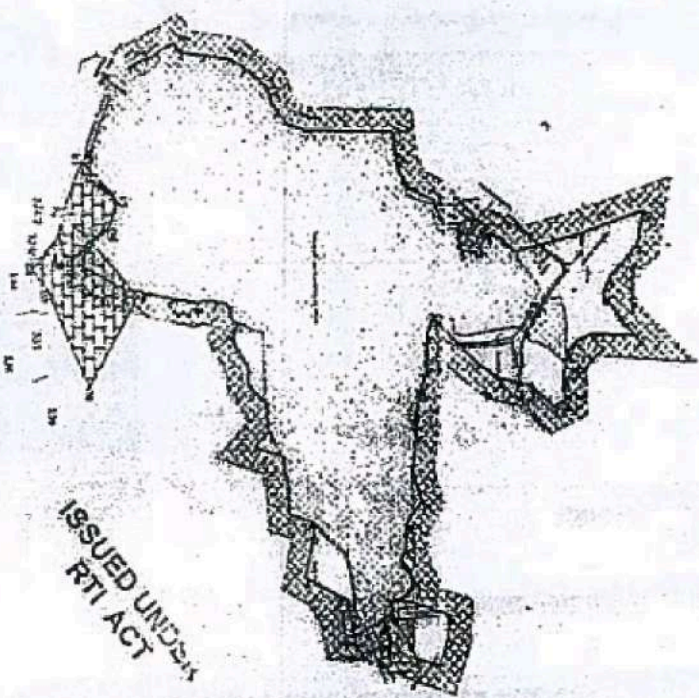
The Tahsildar, Kukatpally Mandal, Medchal Malkajgiri District, for compliance and furnish the regular alienation proposals and a copy of Panchanama

Copy to the Revenue Divisional officer, Malkajgiri Division for information.

Copy submitted to the Managing Director, Hyderabad Metropolitan Water Supply & Sewerage Board, Hyderabad for information.

SKETCH SHOWING THE PARIKI CHERUVU OF STP LAND  
 DOSAPET VILLAGE, KUKATPALLY MANDAL, MEDCHAL MALKAJGIRI DIST

FILE NO.



FTL

BUFFER ZONE 100m FROM FTL

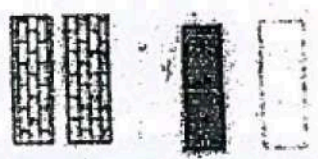
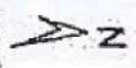
STP PROPOSED LAND = Ac 05 - 00 Gls

ISY no 18/2012 AND 18/2013 SHIKAM LAND EXTENT (DOSAPET VILL) Ac 01 - 07 Gls  
 ISY no 20/2013 SHIKAM LAND EXTENT (KUKATPALLY VILL) Ac 03 - 24 Gls

STP PROPOSED LAND Ac 05 - 00 Gls  
 CO-ORDINATES

ISY NO	LATITUDE	LONGITUDE
01	17°30'32.2774	78°24'49.167E
02	17°30'31.3174	78°24'51.307E
03	17°30'31.1474	78°24'52.537E
04	17°30'30.0074	78°24'54.217E
05	17°30'30.7274	78°24'55.107E
06	17°30'32.4674	78°24'50.427E
07	17°30'34.0274	78°24'55.407E
08	17°30'32.8574	78°24'52.467E
09	17°30'33.2474	78°24'54.207E
10	17°30'33.8874	78°24'51.027E

SCALE 6" = ONE MILE



*Y. Sundar*  
 TASHIL SURVEYOR  
 KUKATPALLY

*Attested*  
*S. S. Srinivas*  
 Tashildar,  
 Kukatpally Mandal,  
 Medchal Malkajgiri Dist.

UNDER RTI ACT 2005

Date : 23-10-2021

Place : Kukatpally, HYD

ADDRESS  
TO  
THE TAHASILDHAR  
KUKATPALLY MANDAL  
MEDCHAL MALKAJGIRI DISTRICT



Reference: RIGHT TO INFORMATION ACT 2005

**SUBJECT: SEEKING THE INFORMATION REGARDING THE PERMISSION GIVEN FOR  
ALOTMENT OF SEWERAG TREATMENT PLANT (STP) IN Sy no 183/2/p and 190/2/p and Sy no  
336/p**

We Are Seeking Information Regarding The ~~SEEKING THE INFORMATION REGARDING~~ The Permission Given For  
ALOTMENT OF SEWERAGE TREATMENT PLANT (STP) IN Sy No 183/2/P And 190/2/P And Sy No 336/P

I Chintapatla Anil Kumar s/o chintapatla Hanmantha Rao R/O Villa No : 35, Devisthana Group Housing,  
Venkat Rao Nagar, kukatpally Hyderabad 500072.

Requesting you to furnish the below information in form of documents certified by this office . I will pay the  
necessary amount for issuing of the documents. This Information is asking under RTI Act 2005.

1. The map/ sketch prepared by this office which is submitted to jala mandali for the SEVERAGE  
TREATMENT PLANT (STP) Near Pariki Cheruvu Covering by the Sy no: 183/2/p and Sy no: 190/2/p  
and Sy no: 336/p for the extent of 5 Acres.
2. Panchanama copy of the STP Allotment
3. Allotment letter of SEVERAGE TREATMENT PLANT (STP)



ADDRESS

CHINTAPATLA ANIL KUMAR  
S/O CHINTAPATLA HANMANTA RAO  
R/O Villa No . 35, Devisthana Group Housing,  
Venkat Rao Nagar, kukatpally Hyderabad  
500072.

CELL No: 9885441555

Date: 23-10-2021

Place: Kukatpally, HYD

To

నా కట పల్లి తహశీల్దార్

డివ్య నముఖముగా

నా కట పల్లి మండలం, మెద్యల్ జిల్లా.

విషయం : నా కట పల్లి తహశీల్దార్ ఆఫీసు నుంచి పరిశీలించబడిన పరిసర ప్రాంతాలలో వైదరాబాద్ జల మండలి వారికి మురుగు నీటి శుద్ధి కేంద్రాలు (STP) కి ప్రభుత్వ భూమి అనుకొని చెరువు ప్రక్క గల మా పట్టా భూమి ని అల్లట్కంట్ వెళ్ళా పటాలను గిసి, వంచనామా చేసి జల మండలి వారికి అప్పగించటం అన్వయము.

చింతపల్లి ఆనిల్ కుమార్ S/O చింతపల్లి హనుమంత రావు (G P A HOLDER | నివాసము విల్లా నెం: 97 DEVISTHANA VILLAS, VENKATRAO NAGAR, KUKATPALLY, HYDERABAD 500072.

అయ్య మా సాఫ్ట్ గ్రామము సర్వే నంబర్ : 183,184,186,187,188,189,190 నందుగల 104 ఎకరాల 22 గుంటల భూమి ని 1968 సంవత్సరములో అప్పటి పట్టా వారుల నుండి మా తండ్రి గారు చింతపల్లి హనుమంత రావు, మా అమ్మమ్మ గారి కుమారుడు చింతపల్లి పద్మ రావు కక్షనుగోలు చేయడం జరిగింది DOC NO : 1225/68.

1972 లో ప్రభుత్వం వారు పరిశీలించిన నిమిత్తం మా కున్న 104 ఎకరాల 22 గుంటల భూమి నుండి 45 ఎకరాల 01 గుంటల భూమి Land Acquisition చట్టము ద్వారా తీసుకుని పరిచారము చెల్లించారు .File No : G/4270/72.

రాజ్ కు గ్రహకల్ప గ్రహనిర్మాణ నిమిత్తం కుత్బుల్లాపూర్ మండలం వారు మా భూమి లోకి నిర్మాణం చేపట్టలేక ముమ్మడిగా 10 గారెడ్డి జిల్లా కోర్ట్ లో దావా పసినాము Case No : 618/2007. 11 సంవత్సరముల విచారణ జరిగిన తర్వాత 6/10/2018 తేదీ న మాకు అనుకూలముగా ప్రతివాదుల అయిన district collector Medchal-Malkajgiri District, MRO Kukatpally, MRO Quthbullapur, Andhara Pradesh Housing Board Chairman వారికి వ్యతిరేకముగా



PLEASE SEE TRANSLATE COPY 32(a), 33(a)

Date : 23-10-2021  
Place : Kukatpally, Hyd

To  
Kukatpally Tahsildar  
Kukatpally Mandal  
Medchal District.

Sub : In Kukatpally Tahsildar Office limits in the surrounding areas of Pariki cheruvu by presuming our patta land as government land and allotting for Sewerage Treatment Plant of Hyderabad Jalmandali by drawing maps and by doing Panchanama and handing over to them is injustice.

Chinthapatla Anil Kumar, S/o. Chiontapally Hanumanth Rao (G.P.A. HOLDER) R/o. Villa No. 37, DEVISTHANA VILLAS, VENKATRAO NAGAR, KUKATPALLY, HYDERABAD - 500072.

Sir,

In Moosapet village Survey Nos. 183,184, 186, 187, 188, 189 and 190 the land of 104 acres and 22 guntas, our father Chintapatla Hanumanth Rao and our Pedananna (Father's elder brother)'s son Chintapatla Padmarao purchased vide Doc.No. 1225/68 from the then pattadars.

In the year 1972 out of out lnd of Ac.104-22 guntas, the government has acquired Ac. 45-01 guntas for Pariki Cheruvu purpose under Land Acquisition Act and paid us compensation vide File No. G/4270/72.

Contd.....2.

32(a)

SRINIVASA TRANSLATIONS  
# 5-4-495, Opp. C. I. L.A. Office,  
Station Road, Abids, Hyderabad-01.  
Ph : 9846404168  
E-mail: srinivasadigital11@gmail.com



ముఖ్యం 99 ఏకరాల 21 గుంటల భూమి మీద ప్రతినిధుల అయిన ప్రభుత్వము వారు రాజాడడు అని కోర్టు ఉత్తర్వులు  
ఉన్నవి . ఇప్పుడు మీరు దానిని తలంగింపి వల మండలి వారు ఎడి లుగ వంట పట్టుకొని మా భూమి లో ప్రభుత్వ భూమి  
మరియు చిరువు భూమి ఉంచని వలమండలి వారు STP కి అర్హులైతే చేయడం కోర్టు ధారాం అవుతుంది . దయచేసి  
కోరికలు నష్టాలు తీసుకుని మాకు నష్టం కలిగించవద్దని ప్రార్థన .

ఇట్లు

తమ విధియుడు

చింతపట్ల అనెల్ కుమార్

Cell No : 9885441555

5

అనుబంధం:

1) 618/2007 - Permanent Injunction

Copy to :

1) వలమండలి STP డివిజన్ , Khalratlabad

2) JILLA COLLECTOR / ADDITIONAL COLLECTOR , MEDCHAL - MALKAJGIRI

:: 2 ::

For the purpose of Rajiv Gruhakalpa Housing construction, the Qutbullapur Mandal officials, tried to take up construction in our land, we filed a petition in Ranga Reddy District court vide case No. 618/2007. After 11 years of conducting enquiry the judgment came in our favour on 6/10/2018 and against the defendents being District Collector Medchal-Malkajgiri District, SRO Kukatpally, MRO Qutbullapur, Andhra Pradesh Housing Board Chairman.

The court issued orders stating that the defendants should not come on to the total land of Ac.59-21 guntas. Now, you violate that court order and on the pretext of Jalamandali or some other pretext thinking that in our land there is government land and cheruvu (lake) land is included, and doing allotment to STP of Jalamandali will be contempt of court. We request you to not to take such decisions in anxiety and pray not to cause loss to us.

Yours faithfully,  
Chintapatla Anil Kumar  
Cell Nio. 9885441555

Enclosed:

1)618/2007 – Permanent Injunction

Copy to :

1)Jalamandali STP Division, Khairatabad

2)District Collector / Additional Collector, Medchal-Malkajgiri

SRIKIVASA TRANSLATIONS  
# 3-4-434  
Station Road, Khairatabad UT  
Ph: 9885441555  
E-mail: srivasa@rediffmail.com



33(a)

Date: 23.10.2021  
Place: Kukatpally  
Hyderabad.

To  
The Kukatpally Tahsildar  
Kukatpally mandal,  
Medchal district.

Sir,

Sub: Illegal Allotment of patta land adjacent to pariki cheruvu situated beside the Govt. land situated at office of the Tahsildar, Kukatpally to Pariki Cheruvu to Hyderabad Metropolitan Water supply and Sewerage Board for STP by conducting panchanama and handing over to Jala mandali.

I, Chinthapatla Anil Kumar S/o.Chinthapatla Hanmantha Rao (GPA Holder) R/o. Villa No.37, Devsthana Villas, Venkat Rao Nagar, Kukatpally, Hyderabad-72.

Sir, the lands in Sy.Nos. 183, 184, 186, 187, 188, 189, 190 admeasuring Ac.104.22 gts, Musapet village was purchased from the pattadars of the lands in the year 1968 by my father, Chinthapatla Hanmantha Rao, Chinthapatla Padma Rao the son of my elder father vide document No.1225/68.

In the year 1972 for the purpose of Pariki Cheruvu out of Ac.104.22 gts of land, Ac.45.01 gts of land was acquired under Land Acquisition and paid compensation in File No.G/4270/72.

When the Qutubullapur mandal tried to construct the houses under Rajiv Gruha Kalpa in our lands, we filed a suit in the Court of the R.R.District Court vide case No.618/2007, after conducting trial for 11 years, on 26.10.2018 we obtained permanent injunction against the District Collector, Medchal-Malkajgiri district, MRO, Kukatpally, MRO, Qutubullapur, Andhra Pradesh Housing Board Chairman. There is restriction on the defendants/Government in entering the lands Ac.59.21 gts. Now by violating the same, by one reason or the other, the allotment of our lands to Jala Mandali for STP will be contempt of court. We request you not to take any steps and we should not be put to loss.

Yours faithfully,  
Sd/x Chinthapatla Anil Kumar  
Cell No.9885441555

Encl:

1. 618/2007 – Permanent injunction

Copy to

- 1.Jala Mandal STP division, Khairathabad
- 2.Jilla Collector/Additional Collector, Medchal-Malkajgiri

//true translation//

IN THE COURT OF THE XIII ADDL. DISTRICT AND SESSIONS JUDGE,  
RANGA REDDY DISTRICT AT L.B. NAGAR.

PRESENT: B. SURESH,  
XIII ADDL. DISTRICT JUDGE,  
RANGA REDDY DISTRICT.

DATED THIS THE DAY 26<sup>th</sup> DAY OF OCTOBER, 2018.

Between:-

O.S. No. 618 of 2007

1. Ch. Hanumantha Rao
2. Ch. Kondal Rao

And

... Plaintiffs

1. The Government of Andhra Pradesh  
Rep. by District Collector, R.R. District
2. MRO, Balanagar Mandal
3. MRO, Quthbullapur Mandal
4. Andhra Pradesh Housing Board

... Defendants

*This suit is coming before me on 28-08-2018 for final hearing in the presence of Sri K. Janardhan Reddy, Counsel for the Plaintiffs and Sri K. Jaya Bharatha Reddy, Counsel for Defendant Nos. 1 to 3 and Defendant No. 4 remained ex parte and upon hearing both sides, perusing the material on record and having stood over the matter for consideration till this day, this court passed the following:-*

#### JUDGMENT

1. This suit is filed by the sole Plaintiff for the relief of injunction restraining the Defendants or any person claiming through them from interfering with the peaceful possession and enjoyment of the suit schedule property and to decree the suit accordingly with costs.

2. The brief averments of the plaint are as follows:

- a) The Plaintiff herein along with one Ch. Padma Rao (elder brother of Plaintiff No. 2) jointly purchased the agricultural land admeasuring c. 104.22 guntas in Sy. Nos. 183, 184, 186, 187, 188, 189 and 190



of Moosapet, the then Taluq West, Hyderabad District presently Balanagar Mandál, R.R. District. The Plaintiffs got purchased the said land through registered sale deed bearing document No. 1225/1968, Dt. 04/09/1968. The said property being hillock and shikmitala, there are no cultivations, as such possession is not recorded in Pahanies except the names of pattedar. While the matter stood thus, the Government of A.P. has acquired the land to an extent of Ac. 45.01 guntas out of the land to an extent of Ac. 104.22 guntas of the plaintiff herein for the purpose of percolation tank called as Parkicheruvu. At the time of acquisition proceedings, the notices were issued to the Plaintiff No. 1 and late Padma Rao and they appeared before the enquiry and received compensation amount. The Plaintiffs were left over an extent of Ac. 59.21 guntas i.e., in Sy. No. 183/1 admeasuring Ac. 2.09 guntas, Sy. No. 184/1 admeasuring Ac. 4.24 guntas, Sy. No. 185/1 admeasuring Ac. 15.30 guntas, Sy. No. 187/1 admeasuring Ac. 10.23 guntas, Sy. No. 188/1 admeasuring Ac. 10.04 guntas, Sy. No. 189/1 admeasuring Ac. 12.25 guntas, Sy. No. 190/1 admeasuring Ac. 3.26 guntas.

b) In the year 2002 some third parties tried to enter into the land of plaintiffs, as such for protection and proper identification of the plaintiffs land, they got filed an application for survey and demarcation of the remaining land of the plaintiffs herein. Accordingly, on 30/05/2002 the Inspector of Survey and Land Records conducted survey and panchanama in file No. A3/920/2002 and fixed the boundaries of plaintiffs land and copy of the panchanama and touch plan was furnished to the plaintiffs. The Plaintiffs were also issued pattadar passbooks during the year 1976 showing that they are the

owners and possessors of the suit schedule property. Though they were the owners and possessors of suit schedule property, they could not mutate the land in their names till date and their vendors' names are recorded as pattedars and the land is shown padava.

c) After panchanama, the plaintiffs have developed the said land and plotted the land @ 80 square yards each and sold to weaker section people and the said land consists of hillocks and surroundings the hillock some portions of the land adjacent to the Gajularamaram Village and Jagathgiri Gutta Village. As the land being a vacant land, many people tried to encroach the land and to avoid the same, the Plaintiffs made the land into small plots of 80 square yards each and some of the plots were sold to all the weaker section members to avoid the encroachment and still some portion of the land is still vacant and in physical possession of the plaintiffs.

d) In the month of December, 2006 Defendant Nos. 2 and 3 came to the said land alleging that they have allotted land in Sy. No. 348 to homeless persons under Rajiv Gruh Kalpa Scheme while allotting the land in Sy. No. 348 they have wrongly shown a portion of the plaintiffs land as part of Sy. No. 348 of Gajularamaram Village and on the basis of said orders, the A.P. Housing Board was asked to construct house for weaker section and the defendant No. 4 was also allotted the work to the contractor when they started the construction work and tried to enter into a portion of the suit land belonging to the Plaintiffs, they approached MRO of Quthbullapur Mandal and Balanagar Mandal i.e., Defendant Nos. 2 and 3 and orally represented and also filed representations to the Collector and others not to encroach into any



portion of the plaintiffs land. In spite of giving complaints and representations, the Defendants have not taken any action but the encroachment was stopped.

e) While the matter stood thus, the Defendants again made an attempt on 18/06/2007 to encroach upon a portion of the land belonging to Plaintiffs i.e., about Ac. 6.00 guntas and tried to allot the said land to APHB for construction of the house under Rajiv Gruha Kalpa Scheme and the Minister for housing accompanied by MRO, Quthbullapur came to the site. Having coming to know about the same, the Plaintiffs have approached them and gave an objection petition along with documents. The defendants time and again tried to encroach upon the said vacant land belonging to the plaintiffs to allot the said land for construction of houses. The defendants high handedly trying to encroach upon the said land and allot for houses without any right whatsoever. The Defendants are powerful and capable to encroach and occupy the patta lands of the plaintiffs. Unless the defendants are restrained by way of perpetual injunction, there is every likely hood that the defendants may again come to the suit land and encroach. The Plaintiffs being owners and possessors of suit schedule property are entitled to protect their possession and plaintiffs have no other alternative except to approach the Court for protection. The acts of the defendants are high handed and mala fide and there is no sufficient time to issue notice under section 80 of CPC before filing the suit, as such filed an application under section 80 (2) of CPC to dispense with the issuance of notice in view of urgency in the matter. Therefore, the plaintiffs filed the suit for the relief of injunction restraining the Defendants or any person claiming through



them from interfering with the peaceful possession and enjoyment of the suit schedule property and to decree the suit accordingly with costs.

3. After filing of the suit, summons were issued to Defendants. The Defendants failed to appear before the Court and as such they were set ex parte. However, the Defendant Nos. 1 and 3 filed petition for setting aside the ex parte order and thereby the ex parte order was set aside against them and whereas, Defendant No. 3 filed written statement and Defendant No. 1 filed memo adopting the written statement of Defendant No. 3. The brief averments of written statement filed by Defendant No. 3 are as follows:

a) This Defendant denied all other allegations made in the plaint, except which are specifically admitted herein and contend that the allegations are not tenable in the eye of law and thus, the suit is liable to be dismissed. The Plaintiffs have suppressed the material facts and not approached the Court with clean hands and thus the suit is liable to be dismissed. As per the revenue records the land in Sy. No. 348/1 an extent of Ac. 687.38 guntas of Quthbullapur Village is recorded as Janglath Sarkari belongs to Government and covered by hillocks and rocky. The land in Sy. Nos. 183 to 190 situated at Moosapet Village of Balanagar Mandal are adjoining lands to government land in Sy. No. 348/1 of Quthbullapur village. As per the regulation received from the Collector, R.R. District vide Lr. No. Lc4/ 480/05, Dt. 04/07/2005 the Mandal Surveyor has demarcated and identified an extent of Ac. 2.00 guntas and Ac. 6.12 guntas in Sy. No. 348/1 for allotment to A.P. Housing Board for construction of houses under Rajiv Gruha Kalpa



Scheme and physical possession of the land has already been handed over to A.P. Housing Board under cover of Panchanama.

b) These Defendants are no way concerned with the ownership of patta lands in Sy. No. 183 to 190 of Moosapet Village and not tried to encroach any of the plaintiffs' patta land. Only the Government land available in survey No. 348/1 has been allotted to A.P. Housing Board for construction of houses under Rajiv Gruha Kalpa Scheme for the benefit of weaker section people. The government of A.P. has acquired a portion of the land admeasuring Ac. 45.01 guntas out of the said land for the purpose of percolation tank called as Parkicheruvu for which the Plaintiff shall be put to strict proof of the same. The plaintiffs have sold out their available adjacent patta land and with an intention to grab the adjacent available land in Sy. No. 348/1 of Quthbullapur the plaintiffs have filed the suit. The contents of the plaint are created and concocted for the purpose of present suit. Thus, the suit is liable to be dismissed. The plaintiffs have not properly explained to dispense the notice under section 80 of CPC which is reported in 2007 (1) ALT SC 43 and thus, the suit is liable to be dismissed. The Plaintiffs have suppressed the material facts and the suit is liable to be dismissed and finally prayed to dismiss the suit.

4. Based on the above pleadings, the following issues are framed for trial:

- 1) Whether the Plaintiffs are entitled for the relief of perpetual injunction against the defendants and their men as prayed for?



2) Whether the Defendants acquired possession of land admeasuring Ac. 45.01 guntas for the purpose of percolation tank called Parkicheruvu?

3) Whether the suit is maintainable without issuing notice under section 80 of CPC by the plaintiff to the defendant?

4) To what relief?

6. In support of their contentions, on behalf of Plaintiff, her husband is examined as PW1 and Exs. A1 to A9 were marked. On the other hand, on behalf of Defendants, Defendant No. 4 is examined as DW1 and got marked Exs. B1 and B2.

7. Issue Nos. 1 and 2: The contention of the Plaintiff is that Plaintiff No. 1 along with one Ch. Padma Rao (elder brother of Plaintiff No. 2) jointly purchased the agricultural land admeasuring Ac. 104.22 guntas in Sy. Nos. 183, 184, 186, 187, 188, 189 and 190 of Moosapet, the then Taluq West, Hyderabad District presently Balanagar Mandal, R.R. District and out of which an extent of Ac. 45.01 guntas was acquired by the Government and they are left over an extent of Ac. 59.21 guntas. It is further contention of the Plaintiffs that adjacent land belonging to the government and they have encroached into their land as such they got filed the suit restraining the Defendants from encroaching the land of the Plaintiffs herein. But the Defendants herein denied the contention of the Plaintiffs and mainly contend that the land in Sy. No. 348/1 an extent of AC. 687.38 guntas of Quthbullapur Village is recorded as Janglath Sarkari belonging to Government and the lands in Sy. Nos. 183 to 190 situated at Moosapet Village of Balanagar Mandal are adjoining lands to government land in



Sy. No. 348/1 of Quthbullapur village and they denied that they encroaching into the land of the Plaintiffs.

8. In support of the contentions of the Plaintiffs, they got examined Plaintiff No. 2 as PW1 and in support of their contention that they got purchased the land to an extent of Ac. 104.22 guntas in Sy. Nos. 183, 184, 186, 187, 188, 189 and 190 of Moosapet relied upon Ex. A1. On perusal of Ex. A1, it discloses that the Plaintiff got purchased Ac. 104.22 guntas in Sy. Nos. 183, 184, 186, 187, 188, 189 and 190 of Moosapet. Further, PW1 contended that out of the said land an extent of Ac. 45.01 guntas of the land was acquired by the government for the sake of Parkicheruvu. In support of the said contention, he relied upon Exs. A2 to A4, which are judgment and decree along with map showing the records with regard to the enhancement of the compensation for the land acquired by them. So, thereafter the plaintiffs were left over with Ac. 59.21 guntas i.e., suit schedule property. The plaintiffs further contend that the defendants are trying to encroach the land of the Plaintiff herein. The Plaintiffs also relied upon Exs. A5 to A24, which are certified copies of the pahanles for the years 1996-97 to 2003-04 (not for continuous period), land sixth passbook issued by Tahasildar, representations given by the plaintiffs to MROs, Assistant Director of Survey and Settlement, District Collector, Special Deputy Collector, photographs etc.

9. Apart from the above oral and documentary evidence, the Plaintiffs relied upon PW3 who is none other than the Inspector of Survey, Medchal and he deposed that the lands in Sy. No. 187 to 190 of Moosapet Village are patta lands. Whereas DW1 who is the Special



Deputy Collector cum Tahasildar, Quthbullapur Mandal, R.R. District deposed that he do not know whether the lands in sy. Nos. 183 to 185, 187 to 190 of Balanagar are patta lands. When the government official who is in custody of the land records coming to the Court and deposing with regard to the facts of the case, he is expected to know about the suit lands as to whom the land belongs. Moreover DW1 deposed that he does not know whether the plaint schedule properties are patta lands or not. So, that itself discloses that he did not come prepared to the Court to give evidence on behalf of the Defendants herein. Whereas coming to the evidence of Pw3 it discloses that the said lands are patta lands and even according to Exs. A1 to A4 the said lands are patta lands, as such the Government acquired the land from them for the purpose of parkcheruyu.

10. To establish the contention of the Defendants herein they relied upon Exs. B1 to B17, whereas Exs. B1 to B16 are pahanies for the years from 1984-85 to 2011-12 (not for continuous period) with regard to the land in Sy. No. 348/1, which is shown as authorized land i.e., land belonging to the government. Ex. B17 is the sketch showing the land in Sy. No. 348 of Quthbullapur Village, wherein there are existence of houses, Industrial area etc. But the surrounding lands or survey number are not shown in Ex. B17 to appreciate the facts that the land in Sy. Nos. 183, 184, 185 and 187 to 190 are adjacent lands in Sy. Nb. 348/1 of Quthbullapur Village. PW3 who is the government official, deposed that report was prepared as per the instructions of the District Collector, R.R. District vide letter No. LP4/581/2013, Dt. 25/02/2014 and in the light of the directions issued by the Hon'ble Lokayuktha vide Letter Dis. No. 3613/2012/B1/LOK/6243/2013, Dt.



28/11/2013. He further deposed that a team of officials comprising the Revenue Divisional Officer, Rajendranagar Division, RDO, Malkajgiri, Assistant Director, Survey of land records, R.R. District and Tahsildar, Quthbullapur Mandal conducted spot inspection of Sy. Nos. 183, 184, 186, 187, 188, 189 and 197 i.e., most of the lands of the suit survey numbers and Sy. No. 374 of Kukatpally of Balanagar and Sy. No. 374 of Kukatpally was allotted to Quthbullapur and resurvey numbered as 348 and filed a report stating that there is an overlap of the land available i.e., as per Ex. A23 Sy. No. 348 of Quthbullapur Village is overlapping Sy. No. 187 to an extent of Ac. 0.22 guntas, Sy. No. 188 to an extent of Ac. 7.30 guntas and Sy. No. 189 to an extent of Ac. 2.10 guntas and Sy. No. 190 to an extent of Ac. 4.14 guntas of Moosapet Village. Ex. A26 is the original sketch and Ex. A25 is the original report of Ex. A23 of Report. Ex. A26 is the original sketch of Ex. A24 certified copy of sketch. So, the evidence of PWB establishes the fact that the land in Sy. No. 348/1 is overlapping and the land in sy. Nos. 187, 188, 189 and 190, as such there is every possibility of defendant claiming the land of the plaintiff to be of their land and allotting the said land to A.P. Housing Board for construction of the house. On perusal of Ex. A23 Report it discloses as follows:

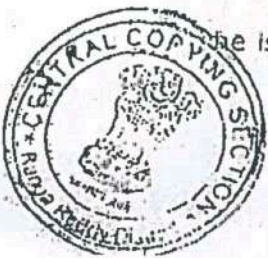
*"A detailed sketch showing the overlapping area is prepared & enclosed herewith. Thus, the overlapping area requires deletion from the Sy. No. 348 pertains to Quthbullapur Village, the Sy. No. 348 of Quthbullapur Village is a Government land and where as the Sy. Nos. 183 to 190 of Moosapet Village are recorded as private patta lands."*



11. Even in the said report it is held that out of Ac. 104.22 guntas in Sy. No. 183 to 196, they acquired an extent of Ac. 45.01 guntas for the sake of Parkicheruvu and it is supporting the contention of the Plaintiffs. So, the report which is being conducted by a team of official persons of Revenue Divisional Officer, Rajendranagar Division, RDO, Malkajgiri, Assistant Director, Survey of land records, R.R. District and Tahsildar, Quthbullapur Mandal, itself discloses that there was open land in Sy. No. 348 of Quthbullapur Village in the surrounding survey numbers 183 to 190 which are recorded as patta land. So, there is every likelihood of defendants encroaching into the land of the Plaintiffs.

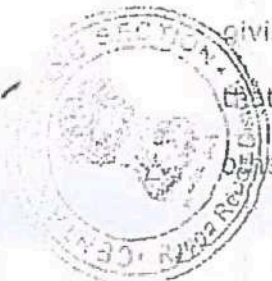
12. Further, in support of the contention of the Plaintiffs they got examined PW2 who is alleged to be a person who purchased the land of the Plaintiffs herein when he lay out the lands into plots and sold the said plots and without forming into a society. According to him also the Defendants are trying to encroach into the land of the Plaintiff. Though PW2 has not filed any document with regard to purchase of the land or with regard to formation of the society but his evidence discloses that the government officials came to the suit land and they surveyed the said land which is also supported by the evidence of PW2. So, the evidence of PW2 also supports the contention of the Plaintiffs with regard to conducting of survey by government officials. Whereas DW1 in the cross examination deposed that the claim of the Plaintiffs is in Sy. Nos. 183 to 18, 187 to 190.

13. As it can be seen that when PW2 has purchased the said lands, he is claiming the said land and he is not claiming any land in Sy. No.



348/1 or any other survey number. Even according to DW1, he deposed that the Plaintiff is claiming government land of Quthbullapur Village but he failed to establish whether he encroached into any part of the land in Sy. No. 348/1 or whether he occupied any land in that survey number or whether he is in possession of any of the extent of the land. But the entire pleadings as well as the evidence of the Plaintiffs go to show that they are claiming land in Sy. Nos, 183 to 185 and 187 to 190 as admitted in the evidence. He further deposed that he is deposing evidence based on the records available at Medchal and that he has not verified any records from the District Collector, MRO, Balanagar, MD, AHP. He further deposed that he has not perused the documents filed by the Plaintiffs. It is the case of the Defendants that the Plaintiff herein is encroaching or occupying the land of the Defendants but the Defendants also failed to establish the same by cogent and convincing evidence. It is contended that it is the Mandal Surveyor who informed that the Plaintiffs are claiming government land in sy. No. 348/1. If at all such fact is true, at least when DW1 is coming to the court he could have known as to whether the Plaintiff occupied any land in sy. No. 348/1 of Quthbullapur Village and claiming the land.

14. DW1 deposed that the Mandal Surveyor informed that the plaintiffs were claiming government land in Sy. No. 348/1 of Quthbullapur under the patta lands in Sy. No. 183 to 190 of Moosapet Village. He further deposed that he has not verified any facts prior to giving of evidence. So, there is no evidence let in by the Defendants that the Plaintiffs are trying to grab the land of the defendants. On the other hand the Plaintiffs herein beyond all probabilities established that



there was overlapping of the land pertaining to Sy. Nos. 348/1 and land in sy. Nos. 187 to 190. It is an admitted fact that the defendants herein have acquired an extent of Ac. 45.01 guntas of the plaintiffs' land for the purpose of Parkcheruvu. So, the Plaintiff herein could establish that the Defendants herein claiming the property which is the government land and trying to enter into the land of the Plaintiffs, as such the Plaintiffs are entitled to perpetual injunction restraining the Defendants from encroaching into the land of the plaintiff herein. Hence, these issues are answered in favour of the Plaintiffs.

15. Issue No. 3: This issue is with regard to notice under section 80 of CPC. The Plaintiff herein in the plaint contended that because of the fact that defendants are trying high handedly and with mala fide intention to grab the property and as there is no sufficient time to issue notice under section 80 of CPC before filing of the suit, they have filed application under section 80 (2) of CPC, to dispense the issue of notice in view of the urgency and requested to permit the plaintiffs to file the suit. So, even law is permitting to dispense the notice when there is urgency in the matter. Hence, the suit is filed properly by dispensing the notice under section 80 of CPC. Hence, this issue is answered accordingly.

16. Issue No. 4: As the Plaintiff could establish that he is in possession and enjoyment of the suit schedule property and as there is threat of dispossession of the Plaintiff, the Plaintiff herein is entitled for perpetual injunction as prayed for.

17. In the result, the suit of the Plaintiff is decreed granting permanent injunction restraining the Defendants or any person



claiming through them from interfering with the peaceful possession and enjoyment of the Plaintiffs over the suit schedule property. In view of the facts and circumstances of the case, both the parties are directed to bear their own costs.

*Dictated to the Stenographer, transcribed and typed by him, pronounced and corrected by me in Open court, on this the 26<sup>th</sup> day of October, 2018,*

XIII ADDITIONAL DISTRICT JUDGE  
RANGAREDDY DISTRICT

APPENDIX OF EVIDENCE  
WITNESSES EXAMINED

ON BEHALF OF PLAINTIFFS:

PW1: Sri Ch. Kondal Rao  
PW2: Sri P. Balakrishna  
PW3: Sri M. Ramchander

ON BEHALF OF DEFENDANTS:

DW1: Sri M. Krishna

EXHIBITS MARKED

ON BEHALF OF PLAINTIFFS:

- Ex. A1: Certified copy of Sale deed bearing document No. 1225/1968, Dt. 04/09/1968
- Ex. A2: Certified copy of judgment in OP No. 276/1978 on the file of I Addl. Judge, City Civil Court, Hyderabad
- Ex. A3: Certified copy of decree in OP No. 276/1978 on the file of I Addl. Judge, City Civil Court, Hyderabad
- Ex. A4: Certified copy of touch plan in file No. K3/1669/2003, Dt. 09/08/2002
- Ex. A5: Certified copy of Panchanama issued by Inspector of Survey and Land records
- Ex. A6: Certified copy of Pahani for the year 1976-77
- Ex. A7: Certified copy of Pahani for the year 1999-2000
- Ex. A8: Certified copy of Pahani for the year 2000-2001
- Ex. A9: Certified copy of Pahani for the year 2001-2002
- Ex. A10: Certified copy of Pahani for the year 2002-2003
- Ex. A11: Certified copy of Pahani for the year 2003-2004
- Ex. A12: Land sith pass book issued by Tahsildar
- Ex. A13: Representation given by Plaintiff to MRC, Balanagar Mandal

O/F

- Ex. A14: Letter given by Plaintiff No. 1 to MRO
- Ex. A15: Letter given by Plaintiff No. 1 to Asst. Director of Survey
- Ex. A16: Letter given by Plaintiff No. 1 to District Collector
- Ex. A17: Letter given by Plaintiff No. 1 to MRO, Quthbullapur Mandal
- Ex. A18: Letter given by Plaintiff No. 1 to MRO, Quthbullapur Mandal
- Ex. A19: Letter given by Plaintiff No. 1 to MRO, Balanagar Mandal
- Ex. A20: Letter given by Plaintiff No. 1 to District Collector
- Ex. A21: Letter given by Plaintiff No. 1 to Special Deputy Collector cum MRO, Balanagar Mandal
- Ex. A22: Rough sketch plan of the suit schedule property
- Ex. A23: Certified copy of joint inspection report submitted by Additional Director Survey and Land Records, R.R. District
- Ex. A24: Certified copy of plan attached to Ex. A23
- Ex. A25: Original Report of Ex. A3
- Ex. A26: Original sketch plan of Ex. A24

ON BEHALF OF DEFENDANTS:

- Ex. B1: Certified copy of pahani for the year 1984-85
- Ex. B2: Certified copy of pahani for the year 1987-88
- Ex. B3: Certified copy of pahani for the year 1992-93
- Ex. B4: Certified copy of pahani for the year 1993-94
- Ex. B5: Certified copy of pahani for the year 1994-95
- Ex. B6: Certified copy of pahani for the year 1996-97
- Ex. B7: Certified copy of pahani for the year 1998-99
- Ex. B8: Certified copy of pahani for the year 2001-02
- Ex. B9: Certified copy of pahani for the year 2002-03
- Ex. B10: Certified copy of pahani for the year 2003-04
- Ex. B11: Certified copy of pahani for the year 2004-05
- Ex. B12: Certified copy of pahani for the year 2006-07
- Ex. B13: Certified copy of pahani for the year 2007-08
- Ex. B14: Certified copy of pahani for the year 2009-08
- Ex. B15: Certified copy of pahani for the year 2010-11
- Ex. B16: Certified copy of pahani for the year 2011-12
- Ex. B17: Original sketch



READY BY: *[Signature]*  
 COMPARED BY: *[Signature]*  
 CERTIFIED TRUE PHOTO COPY

*[Signature]*  
 XIII ADDITIONAL DISTRICT JUDGE,  
 RANGAREDDY DISTRICT.

DECREE IN ORIGINAL SUIT

IN THE COURT OF XIII ADDL. DISTRICT AND SESSIONS JUDGE  
RANGA REDDY DISTRICT, AT L.B.NAGAR, HYDERABAD.

PRESENT: SRI B.SURESH,  
XIII ADDL.DISTRICT & SESSIONS JUDGE,  
RANGAREDDY DISTRICT.

DATED THIS THE 26TH DAY OF OCTOBER, 2018

O.S.No. 618 OF 2007

Between:

1. Ch. Hanumantha Rao S/o Ch. Venkaiah  
aged about 70 years, occ: Agriculture,  
H.No.5-3-113, Kukatpally village,  
Balanagar Mandal, R.R. District.
2. Ch. Konda Rao S/o Rama Rao,  
aged about 46 years, occ: Business,  
R/o. Plot No.365, Vivekananda Nagar colony,  
Kukatpally, R.R. District.

AND

1. The Government of Andhra Pradesh,  
rep. By District Collector,  
R.R. District at Lakdikapool, Hyderabad.
2. Mandal Revenue Officer, Balanagar Mandal,  
at K.P.H.B. R.R. District.
3. Mandal Revenue Officer, Qutubullapur Mandal,  
at Qutubullapur, R.R. District
4. Andhra Pradesh Housing Board,  
rep. By its Vice Chairman and Managing Directors  
at Gruhakalpa, Hyderabad,

....Defendants.

**CLAIM:-** Suit for injunction restraining the defendants or any person claiming through them from interfering with the peaceful possession and enjoyment of the suit schedule property.

VALIDATION:-

The suit is valued at Rs.11,00,000/- and paid court fee of Rs.13,426/- u/s. 26(c) of APCF and SV Act.

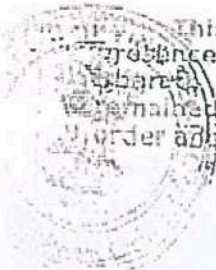
Cause of action and jurisdiction:-

Cause of action arose on 18-6-2007 when the defendants came along with their henchmen and tried to interfere and encroach upon a portion of the suit schedule property.

And this court got jurisdiction to try the suit as the properties are situated at Moosapet Ranga Reddy District.

Plaint Presented on : 11-07-2007  
Plaint Numbered on : 11-07-2007

COURT OF THE DISTRICT JUDGE  
RANGA REDDY DISTRICT  
28470/18  
24/10/18  
21/11/19  
Plaintiffs  
Received on 31/11/19  
8960/18  
81/10/18  
Copy made ready on 81/10/18  
Copy delivered on  
Sub. Plaintiff  
Central Copying Section  
Ranga Reddy District  
8.1.2018



This suit is coming on this day before me for final disposal in the presence of Sri.K.Janardhan Reddy, Advocate for the plaintiff and of Sri K.Jaya Reddy, Advocate for Defendant Nos.1 to 3, and defendant No.4. The suit remained exparte and upon hearing the counsel for plaintiff and this court doth order as follows:-

1. That the suit of the plaintiff be and the same is hereby decreed by granting permanent injunction restraining the defendants or any person claiming through them from interfering with the peaceful possession and enjoyment of the plaintiffs over the suit schedule property.

2. That the both parties are directed to bear their own costs.

Given under my hand and the seal of the court on this the 26<sup>th</sup> day of October, 2018.

XIII ADDL. DISTRICT AND SESSIONS JUDGE  
RANGA REDDY DISTRICT

MEMO OF COSTS

FOR PLAINTIFFS

FOR DEFENDANTS  
No.1 to:3 No.4

- 1. Stamp on Plaint
- 2. Stamp on vakalat
- 3. Stamp on process
- 4. Advocate Fee (Senior)  
(Junior)

Rs. 13,426/-  
Rs. 2/-  
Rs. 200/-  
Rs. ---

2/- exparte

Rs. 13,628/-

2/- exparte

XIII ADDL. DISTRICT AND SESSIONS JUDGE  
RANGA REDDY DISTRICT

SCHEDULE OF PROPERTY

All that the agricultural land bearing Sy.Nos.183/1 admeasuring Ac.2-09 Gts 184/3 admeasuring Ac.2-09 Gts 184/1, admeasuring Ac.4-24 Gts 185/1, admeasuring Ac.15-20 Gts 187/1, admeasuring Ac.10-23 Gts 188/1, admeasuring Ac.10-04 Gts 189/1, admeasuring Ac.12-25 Gts 190/1, admeasuring Ac.3-26 total admeasuring Ac.59-21 Gts situated at village Moosapet, R.R.District contiguous bounded by:-

- North: Village boundary of Gajularamaram.
- South: Kukatpally sivar lands and Parkicheruvu
- East: Kukatpally village boundary
- West: Village boundaries are Gajularamram and Kukatpally (part of Parkicheruvu).



CERTIFIED TRUE PHOTO COPY

XIII ADDL. DISTRICT AND SESSIONS JUDGE  
RANGA REDDY DISTRICT

PS to 1131

G.O. No. 100-20.7.61-10,000

G.O. No. 100-20.7.61-10,000

AWARD

No. 50/4270/1A/72

Date: 31-7-1978

Made by Sri C. Rathnam, B.Sc., Bpl., Dy. Collector, I. S. (General)

Under section 11 of the Land Acquisition Act I of 1894.

Whereas an extent of land measuring area 45-01 3/4, and situated in the village of Hoornpet, in the taluk of Hoornpet, in the district of Hyderabad, and registered in the name of, or occupied by, the persons specified below, has been declared by Government at page of the Andhra Pradesh Gazette Part I, No. 33, dated 22-8-1974, to be needed for

The lands coming under sub-paragraph of Parki Cheru for reservation.

The undersigned, after full enquiry into the case and on due consideration of the various circumstances connected with the acquisition as here before set forth, makes the following award under his hand:-

(i) The true area of the land is acres

A. C. S. 45-01

(ii) The compensation allowed for the land is Rs as shown below:-

17,988-97

(a) (1) The market value of the land subject to full assessment perkhast for ground rent as the case may be and in the case of house-site held free its market value as such exclusive in all cases of trees, buildings, and standing crops at Rs. - vide B.S.O. No. 60, paragraph 14 (i) (1).

13,507-50

(2) In the case of inam other than those mentioned in paragraph 14 (ii) of B.S.O. No. 60, compensation for loss of inam to be calculated at 20 times the assignment of Govt. revenue to which the inamdar is entitled vide B.S.O. No. 60, paragraph 14 (i) (2).

(3) In the case of inam coming under paragraph 14 (ii) of B.S.O. No. 60, the amount of net assessment guaranteed to the inamdar at the time of the inam settlement for the extent acquired, which represents the inamdar interest in Rupees.

(b) The value of the compensation for inamdar interest is to be entered against item (ii) (a) (1) above:

(b) Valuation on account of buildings, wells, crops, trees, etc.

(c) 10 percent on items (a) (1) and (2) and (b)

2,026-12

(d) Other damages, if any (to be specified)

2,455-35

Interest @ 4% per annum on

land value from 15-9-73 to

Total

17,988-97

31-7-1978.

Rupees

Seventeen thousand nine hundred eighty eight and paise ninety seven only

PLEASE SEE TRANSLATE

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Ref.:ST/Transcription to English Fair copy from English Xerox copy)

O.S. No. LR XVIII -A New ILF. XIV - 30

**AWARD**

No. G/4270/LA/72

Date : 31-3-1978

Made by Sri C. Ratnam, B.Sc., Spl. Dy. Collector, L.A. (General) Hyderabad.

Under Section 11 of the Land Acquisition Act 1 of 1894)

Whereas an extent of Land admeasuring Acres 45-01 Gts., and situated in the Village of Hoospet in taluk of Hyd. West

The registration sub-district of Hyderabad in the district of Hyderabad and registered in the name of un-occupied by, the persons specified below, has been declared by Government at page of the Andhra Pradesh Gazette Part I. No.33 dated 22-8-1974 to be needed for

The lands coming under submergence of Parki Chenu for restoration.

The undersigned, after full enquiry into the case and on due consideration of the various circumstances connected with the acquisition and here before set forth, makes the following award under his hand:-

(i)The true area of the land is acres Ac. 45-01 Gts.

(ii)The compensation allowed for the land Rs. 17,980-97

SRINIVASA TRANSLATIONS

# 5-4-495, Opp. C.C.L.A Office,  
Station Road, Abnnt. Hyderabad-01.

Ph : 9849504168

E-mail: srinivasadigital11@gmail.com

- 52 (a)



As shown below-

(a) (1) The market value of the land subject to full assessment Peshkash or ground rent as the case may be in the case of House-site held free its market value as such exclusive in all cases of Trees, buildings and standing crops at Rs. Vide B.S.O. No.00 Paragraph 14 (i) (j)

(2) in the case of Inams other than those mentioned in paragraph 14-(iii) of B.S.O. No. 90, compensation for loss of Government Revenue to which the Inamdar is entitled B.S.O. /No.90 paragraph 14 (i) (2)

(3) In the case of Inams coming under Paragraph 14 (ii) of D.S.O. No.90

the amount of net assessment guaranteed to the Inamdar at the time of the inam settlement on the extent required which represents the melvaram interest is Rupees

Note : value of the compensation for kudivaram interest is to be entered against item (ii) a (1) above

(b) valuation on account of buildings,wells, crops, trees etc.

(c) 10 percent on item (a) (1) and (2) and (b) 2,026-12

(d) Other damages, if any ( to be specified) 2,455-35

Interest o@ Rs.4% per annum on the land value

From 15-9-73 to 31-3-1978

Total 17,988-97

(Rupees seventeen thousands nine hundred eighty eight and paise ninety seven only)

SRINIVASA TRANSLATIONS  
# 5-4-495, Opp: C.L.A Office,  
Station Road, Abids, Hyderabad-01.  
Ph : 9846764168  
E-mail: srinivasadigal11@gmail.com



- 52(b) -

Levy or paimashi number	Extent	Name of registered holder or occupier	Boundaries of the land			
			North	East	South	West
183/2	10-20	Sri Chintaratta	184	190	187	181
184/2	11-31	Sri Chintaratta	184	189	183	181
186	1-17	Sri Chintaratta	186	187	187	185
187/2	4-22	Sri Chintaratta	186	188	188	185
188/2	0-14	Sri Chintaratta	187	189	189	189
189/2	8-39	Sri Chintaratta	185	190	184	184
190/2	7-18	Sri Chintaratta	189	189	185	185

(iii) The person or persons to whom the land...

Serial number	Name	No.	P.
1. Sri Chintaratta	Sri Chintaratta	8,994-40	
2. Sri Chintaratta	Sri Chintaratta	8,994-19	

The undersigned certifies that...

- (a) Notices have been promulgated in accordance with section 8 of the Land Acquisition Act and that evidence of such promulgation or service forms part of the record.
- (b) There is before him a plotted plan of the land or lands to be acquired.

*[Signature]*  
 Land Acquisition Officer,  
 SPECIAL DY. COLLECTOR  
 Land Acquisition,  
 General, Hyderabad.

Survey or paimasli No.	Extent	Name of Registered holder or occupier	BOUNDARIES OF THE LAND			
			North	East	South	West
183/2	10-20	Sri Faizulla Pattedar	184 Ramaram Shivar	190	Tankbund Kukatpalli Shivar 183	Hillock -do-
184/2	11-31	Sri Chintapatta Hanumanth Rao Cultivator	-do-	Hillock	187	Ramaram shivar
187/2	1-22		186	-do-	187	185
188/2	0-14	-do-	187	-do-	188	189
189/2	8-39		185	-do-	Hillock	184
190/2	7-18		189	-do-	190	183

(iii) The person or persons to whom the comp.... (Illegible)

Serial No.	Name	Rs. Ps.
1.	Sri Hanumanth Rao S/o. Chintapatla Venkat Rao	8,994-48
2.	Sri Chintapatla Iswar Rao	<u>8,994-49</u> <u>17,988-97</u>

The undersigned certifies that –

- (a) Notice have been promulgated or served in accordance with section A of Land Acquisition Act and the evidence of such promulgation or service forms part of the record.
- (b) There is before him a plotted plan of the land or lands to be acquired.

Sd/-  
Land Acquisition Officer  
SPECIAL DY. COLLECTOR  
Land Acquisition  
General Hyderabad

SRINIVASA TRANSLATIONS  
# 5-4-495, Opp. S. P. L. A. Office,  
Station Road, Abids, Hyderabad-01.  
Ph : 0845-241168  
E-mail: srinivasadigital11@gmail.com



-53(a)-

## AWARD

No. G/4270/LA/72

Dated: 31-3-1978

Made by Sri C. Rathnam, B.Sc., Spl. Dy. Collector, r, L.A. (General) Hyderabad

## Under section II of the land Acquisition Act of 1894

Whereas an extent of land measuring acres 45-01 Gts, and situated in the Village of Moosapet, in the taluk of Hyd. West the registration sub-district of Hyderabad, in the district of Hyderabad and registered the name of, or occupied by, the persons specified below, has been declared by Government at Page of Andhra Pradesh Gazette Part I.No.33 dated: 22-08-1974 to be needed for the Lands coming under submergence of Parki Cheru for restoration.

the undersigned, after full enquiry into the case and on due consideration of the various circumstances connected with the acquisition as here before set forth, makes the following award under his hand

i)	The true area of the land in acres	A. Gts.	45-01
ii)	The compensation allowed for the land is Rs as shown below as shown below		17,988-97
		Rs.	Ps.
	a) (1) The market value of the land subject to full assessment peshkash or ground rent as the case may be and in the case of house - site held free its market value as such exclusive in all cases of trees, buildings, and standing crops at Rs vide B.S.O. No. 90. paragraph 14(i) (1)		13,507-50
	(2) In the case of inams other than mentioned in paragraph 14(ii) of B.S.O. No. 90, compensation for loss of privilege calculated at 20 times the assignment of Government revenue to which the inamdar is entitled - vide B.S.O. No. 90, paragraph 14 (i) (2)		--
	(3) In the case of inams coming under paragraph 14(ii) of B.S.O. No.90, the amount of net assessment guaranteed to the inamdar at the time of the inam settlement on the extent acquired, which represents the melvaram interest in Rupees		--
	Note. ----- The value of the compensation for kudivaram interest is to be entered against item (ii)(a)(1) above		--
	b) Valuation on account of buildings, wells, crops, trees, etc		--
	c) 15 percent on items (a) (1) and (2) and (b)		2,026-12
	d) Other damages, if any (to be specified)		2,455-55
	Interest @ Rs.4% per annum on land value from Total		17,988-97
	15-9-73 to 31-3-1978		

Rupees Seventeen thousands nine hundred eighty eight and paise ninety seven only)

Survey or Paimash Number	Extent	Name of Registered Holder or occupier	Boundaries of the Land			
			North	East	South	West
183/2	10-20	Sri Fazlullah & others, Pettdar	184 Ramaram Sivar	190 189	Tankbund Kukatpally Sivar 183	Hillock
184/2	11-31					
186	1-17	Sri Chintapatal Hanumanth Rao, Cultivaor	-do-	Hillock	187	Ramaram Sivar
187/2	4-22	-do-	186	-do-	188	185
188/2	0-14		187	-do-	Hillock	189
189/2	8-30		185	-do-	190	184
190/2	7-18		189	-do-	Bund	183

iii) The person or persons to whom the compensation is due

Serial Number	Name	Rs.	P.
1.	Sri Hanmanth Rao S/o. Chintapatta Venkat Rao	8,994-	48
2.	Sri Chintapatla Padma Rao S/o. Rama Rao	8,994-	49
<b>Total</b>		<u>17,988-</u>	<u>97</u>

The undersigned certifies that-

- Notices have been promulgated or served in accordance with section 9 of the Land Acquisition Act and that evidence of such promulgation or service forms part of the record.
- There is before him a plotted plan of the land or lands to be acquired.

Land Acquisition Officer

11/5/68



*Abraham Ali*

Abraham Ali  
Ret. Treasurer General Stamp Office  
HYDERABAD.

SALE DEED

This Deed of sale made on this 2nd day of September 1968

by:-

1. Shri. Mr Abdul Jabbar son of Ibrahim Ali, Caste: Muslim, aged: 50 years, Occupation: Business, Resident of Futeh Nagar, Hyderabad.
2. Shri. Mr Abdul Raof son of Shri. Mr Ibrahim Ali, Caste: Muslim, aged: 42 years, Occupation: Business, Resident of Khairatabad, Hyderabad City.
3. Smt. Sarfaraz Begum w/o Mr. Fazulullah, Caste: Muslim, aged: 46 years, Occupation: House-hold, Resident of Agapura, Hyderabad City.
4. Shri. Mr Abdul Khadoor son of Mr. Ibrahim Ali, Caste: Muslim, aged: 30 years, Occupation: Business, through his power of attorney Shri. Abdur Raof, Resident of Khairatabad, Hyderabad.
5. Shri. Mr Kalsoomullah son of Shri. Mr Fazullah, Caste: Muslim, aged: 19 years, Occupation: Business, R/o Agapura, City, Hyderabad.
6. Shri. Mr Aleemullah son of Mr Fazullah, Caste: Muslim, aged: 16 years, Occupation: Student, R/o Agapura, Hyderabad, through his guardian (Natural Mother) Smt. Sarfaraz Begum.

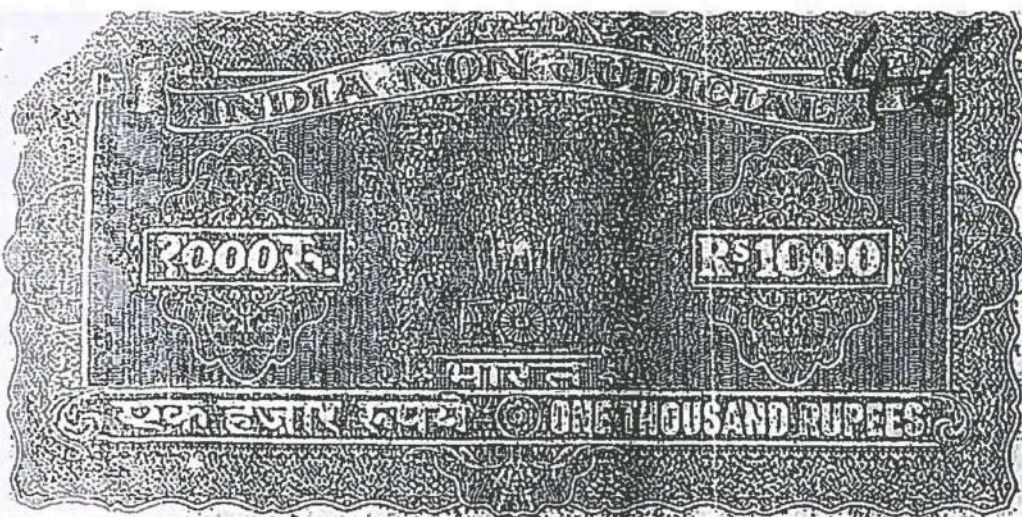
(Hereinafter called the " VENDORS " of the First Party)

Contd. on page... 2

*Abraham*  
9/9/68

*L.T. V. S. Chaitanya*  
Special Grade Dy. Collector,  
A. (Industries), R.H. & Nodak Dist,  
Hyderabad (A.P.)





*(Handwritten notes in Telugu script)*

*(Signature)*  
 For Treasurer, General Stamp Office  
 HYDERABAD  
 PAGE TWO

IN FAVOUR OF

1. Shri. Chintapatla Hanumantha Rao, son of Chintapatla Venkaiiah, aged: 30 years, Occupation: Agriculture, R/o Village: Kukatapally, Tq. West: Dist: Hyderabad.
  2. Shri. Chintapatla Padma Rao son of Chintapatla Rama Rao, aged: 20 years, Occupation: Agriculture, R/o Village: Kukatapally, Tq. West: Dist: Hyderabad.
- (hereinafter called "the Vendees" of the Second Party).

WHEREAS AS UNDER:-

WHEREAS the Vendors are the absolute owners, Pattadars (Vendor No.1, 2 & 4 are the each 4 Annas Partners i.e., 12 Annas share in the land and the Vendor No.3, 5 and 6 have only 4 Annas share in the land) and in possession of the land bearing survey Nos. and measurements as under:-

S.No.	Area		Assessment	
	Ac.	Gt.	Rs.	P.
183	12	29	34	50
184	16	15	36	99
186	17	07	21	00
187	15	05	17	99
188	10	18	11	26
189	13	24	31	50
190	19	04	48	01
Total..	104	22	203	25

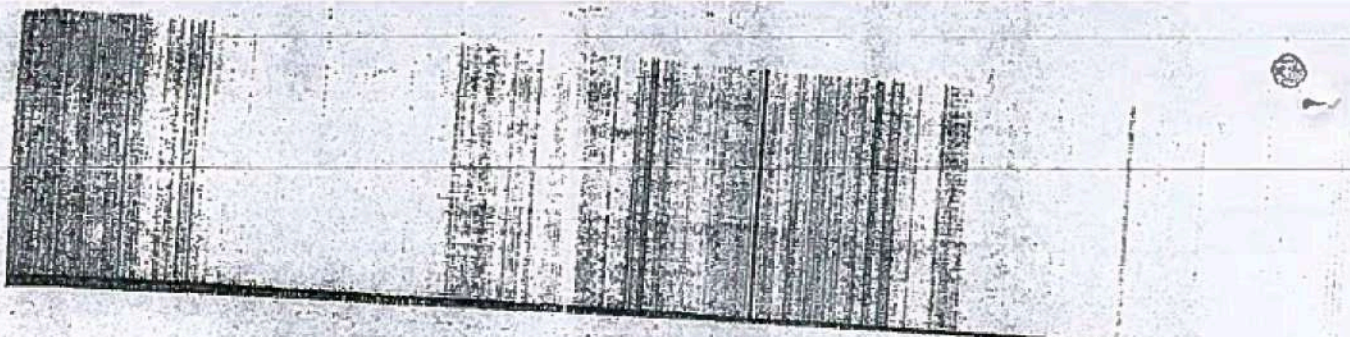
Total: Hectors:-(41.90)

(Contd. on page...)

*(Handwritten notes and signatures)*

*(Signature)*  
 H. T. J. Sarfraz Qureshi  
*(Signature)*

Special Grade Dy. Collector,  
 (Industries, R.R. & Medak Dist.)  
 Hyderabad (A.P.)



Date No. 1225 of 68 of 1968  
24-11-68  
M. A. M. S.  
Sub. Registrar



3 left hand



left hand



4 left hand



Atank of Sarfraz

Begum wife of Fajalullah  
R/o Agapura West.

Atank of Sarfraz

Begum wife of Fajalullah  
as guardian of her minor  
son Akimullah.

and Kalamullah S/o. Mr. Fajalullah

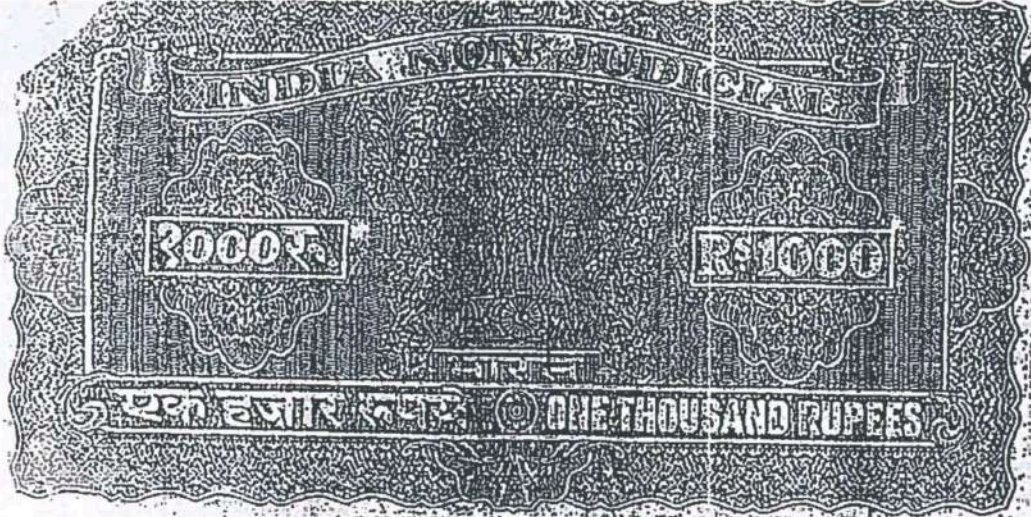
Business R/o Agapura

Hyd.

Identified by

1) L. Anja Reddy S/o Krishna Reddy, Agapura  
(M. RANGA REDDY) R/o Korlat-palle, Hyderabad

W.S. 1-



108

*Handwritten notes in Hindi and English, partially illegible.*

*Signature*  
 For Treasurer General Stamp Office  
 HYDRABAD  
 PAGE THREE

situated at Moosapat, Village : Tq. West. Dist: Hyderabad.  
 WHEREAS the " VENDORS" have offered to sell the said  
 agricultural lands, measuring Acres 104 and 22 Gunbas,  
 situated at Village : Moosapat, Tq. West. Dist: Hyderabad for a  
 consideration of Rs. 33,000/- ( Rupees Thirty three thousand  
 only) and the " VENDORS" have agreed to purchase the same  
 for the said price and the Vendors have received previously  
 a sum of Rs. 24,750/- ( Rupees Twenty four thousand and seven  
 hundred and fifty only ) from the Vendors as an advance (part  
 payment of the consideration) for selling the above mentioned  
 land which is fully described in the Schedule annexed hereto  
 and agreed to receive the balance of the sale price viz. Rs. 8,250/-  
 ( Rupees Eight thousand and two hundred and fifty only) from the  
 Vendors at the time of Registration of this Sale Deed in the  
 presence of the Registrar and thus the VENDORS acknowledge the  
 receipt of the entire amount of consideration as described  
 above.

*Signature* H.A. Ram  
*Signature* L.T. Sarapat  
*Signature* Mrs. K. Srinivas  
 Special Grade Dy. Collector,  
 (Industries), H. D. & Madak C.,  
 Hyderabad (A.P.)



49

Doc. No. 1225 of 1968  
3rd 7  
M. B. Rao  
Sub Registrar

2) S/O Syed Abdul Sattar  
Govt. Servant & Co.  
Aga pura

A sum of Rs 8250/- eight thousand two hundred & fifty were paid in my presence by p. Narasimha Reddy on behalf of the claimants to the executants to the D.

Signature      Signature      M. B. Rao  
payee      payee      payee  
+ Mark of Barbara payee.

2nd September 1968 / 11th Bhadra 1850SE      M. B. Rao  
Sub Registrar



Registered No. 1225 of 1968  
Book I Volume 68 Page 248 T. 301  
Dated 4th September 1968 / 13th Bhadra 1850SE  
Sub Registrar



1. ... 22-5-67 ...  
... 22-5-67 ...  
... 22-5-67 ...

*[Handwritten signature]*  
...  
...

PAGE FOUR

That the alienation permission Lr.No.D.Ms.No.A4/4329/68, Dated: 14.9.1968 of the proceedings of the Tahsildar Hyderabad West Taluq Office, Hyderabad District is attached herewith to get the 'D' Form from the Registration Office.

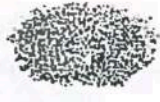
That Shri.Mir Abdul Raof (Vendor No.2) son of late Mir Ibrahim Ali is holder of General Power of Attorney to Shri.Mir Abdul Khadoer ( Vendor No.4) son of Mir Ibrahim Ali vide Registered General Power of Attorney Deed Document No.304 of 1955, Book No.IV, containing 3 Sheets, Volume 15, Pages 181 & 182 Dated: 1st September 1955.

HOW THIS DEED OF SALE WITNESSES AS UNDER:-

1. The VENDORS have got absolute title to and interest in the schedule property and have by this conveyance transferred their entire interests and rights over the same to the Vendees.

*[Handwritten signature]*  
contd. on page... 5

*[Handwritten signature]*  
H.A. Kamil



L.T. J. Sarfraz Khan

*[Handwritten signature]*  
Special Grade Dy. Collector  
(Trusts), R.R. & Muzak  
Hyderabad (A.P.)



6. It is hereby agreed that the terms " VENDORS" and " VENDORIES" shall always include their respective heirs, legal representatives, successors, assigns etc., etc.,

SCHEDULE

Land bearing Survey Nos. and measurements as under;

S.No.	Area		Assessment Rs. P.
	Ac.	Gt.	
183	12 1/2	29	34-50
184	16	15	38-99
186	17	07	21-00
187	15	05	17-99
188	10	18	11-26
189	18	24	31-60
190	19	04	48-01
TOTAL = 22 = 141.90 Hectares			203-25

situated at Moosapet Village Tq. West (Rural) District Hyderabad, and bounded by:- ( Under Gram Panchayath Moosapet )

EAST: Sivar Kukatapally.

WEST: Sivar Ramaram and Kukatapally.

NORTH: Sivar Ramaram.

SOUTH: Sivar Kukatapally.

IN WITNESS WHEREOF the Vendors hereto have signed this Deed of sale on this 2nd day of September 1968.

Witnesses:

1. *[Signature]*
2. *[Signature]*

VENDORS:-

1. *[Signature]*
  2. *[Signature]*
  3. *[Signature]*
  4. *[Signature]*
- (Mir Abdul Jabbar, Mir Abdul Haq, Smt. Sarfaraz Begum, Mir Kalsoom.)

Special Grade Dy. Collector,  
Hyderabad (A.P.)

P 53



A3/920/2002

K3/16.67/2002  
Pc/14.25/2002

మొదటి పేజీ (పేజీ 1) ద్వారా ఇచ్చిన వివరాలను పరిశీలించి

కాపీలు చేయబడినవి 30.5.2002.

క్ర. సం.	వర్ణన	తండ్రి పేరు	వయస్సు	పులి	నియోజ్యము
1.	యశవంతి	సర్వే	37	నల్ల	37/70
2.	జి. ఎం. కె. పాపి	యశవంతి	32	నల్ల	35-3/10
3.	కె. ఎం. పాపి	వసుంధర	30	"	పంకజ్ జ్యోతి

మొదటి పేజీ ద్వారా ఇచ్చిన వివరాలను పరిశీలించి

కాపీలు చేయబడినవి (సం) 183, 184, 187, 188, 190 నట్లయిన

కాపీలు చేయబడినవి మొదటి పేజీ ద్వారా ఇచ్చిన వివరాలను పరిశీలించి

కాపీలు చేయబడినవి మొదటి పేజీ ద్వారా ఇచ్చిన వివరాలను పరిశీలించి

కాపీలు చేయబడినవి మొదటి పేజీ ద్వారా ఇచ్చిన వివరాలను పరిశీలించి

కాపీలు చేయబడినవి మొదటి పేజీ ద్వారా ఇచ్చిన వివరాలను పరిశీలించి

కాపీలు చేయబడినవి మొదటి పేజీ ద్వారా ఇచ్చిన వివరాలను పరిశీలించి

TRUE COPY

Inspector

PLEASE SEE TRANSLATE COPY

65(a), 66(a), 67(a)

Ref.:ST/291024/Translation from Telugu to English //

COPY OF STAMP 1 RUPEES

L3/1669/2002 / PC 425/2002  
A3/920/2002

**PANCHANAMA BILMUSHAFA BY DEPUTY INSPECTOR  
CHEVELLA DIVISION, RANGA REDDY DISTRICT, CAMP AT  
MOOSAPET DATED 30.5.2022**

Sl. No.	Name of Panchas	Father's name	Age	Occupation	Residence
1	Rajesh Reddy	Mareppa	37	Electrician	37/70 Jagadgiri gutta
2	J. Ramdev Rao	Yadagiri Rao	32	Business	35-3/10 Venkateshwara Nagar Bairapaka Swathi, W/o. Bhaskar
3	T. Krishna Rao	Narsing Rao	30	"	3-15 Kukatpalli

We, the three panchas, on the call of Deputy Inspector Chevella Division are present at Moosapet village Survey Nos. 183,184, 186, 187, 188, 189 and 190. Here Mandal Surveyor and Qutbullapur Mandal Surveyors are present. There the Deputy Inspector Chevella Division as per the orders of A.D. Rangareddy district in file No. A3/9202002 in Moosapet Village

Contd.....2.

65(a)  
SRINIVASA TRANSLATIONS  
# 5-4-495, Opp. C. C. LA Office,  
Station Road, Abids, Hyderabad-01.  
Ph : 9840504168  
E-mail: srinivasadigital11@gmail.com



54



Sd/- C. Rajagopal Reddy  
 30-5-2002  
 M.S. Balarajayya

A3/920/2002

K3/1669/2002  
Pc/14/25/2002

తల్లి పాపయ్యగారు నిజామ్ దారుకు వాబందీ చేయడం వల్ల  
 ఏర్పడిన పాపయ్య దారులందరి నిధులు (ప్రొ. చరినీ వివిధ చట్టాల సందర్భం  
 ల చొప్పున) కింద  
 సాక్షులు (ఇంజనీరింగు) పంచుల సంతకములు  
 ( నబహుప్రచారు)

- 1. Sd/- (ఇంజనీరింగు సంతకము) 1. Sd/- (పంచుల సంతకము)
- 2. Sd/- (ఇంజనీరింగు సంతకము) 2. Sd/- (ఇంజనీరింగు సంతకము)
- 3. Sd/- (ఇంజనీరింగు సంతకము) 3. Sd/- (ఇంజనీరింగు సంతకము)

Panchaname conducted before me

Sd/- (ఇంజనీరింగు సంతకము)  
 04/08/2002

Sd/- (ఇంజనీరింగు సంతకము)  
 M.S. Balarajayya

Copied by  
 Sd/-  
 30/5/2002

TRUE COPY

Inspection  
 Entry and Land Records  
 Sd/-  
 Raju Reddy, Dist.

:: 2 ::

Survey Nos 183,184, 186, 187, 188, 189 and 190 measured with the help of Bandobastu record i.e. Naksha and shown boundaries and wherever boundary stones are not there, advised the applicant to fix the boundary stones. This panchanama was written on site in our presence, read over and on hearing we signed, this is true.

Witnesses

1.Sd/- xx (In English)

Sd/- (Sign in English)

(Applicant)

Signatures of Panchas

1. Sd/- (in Telugu)

2. Sd/- (in English)

3. Sd/- (in English)

Panchanama conducted before me

Sd/- (in English)

Dy. IOS 30/5

Sd/- (in English)

M.S. 9544

30-9-2002

Copied by : Sd/-xx

Sd/-xx

TRUE COPY

Sd/-9/2/2007

INSPECTOR

Survey and Land Records

Ranga Reddy District

Sd/- (in English)

30-5-2002

SRINIVASA TRANSLATIONS

# 5-4-495, Opp. P. S. LIA Office,  
Station Road, Abids, Hyderabad-01.  
Ph : 9848704168  
E-mail: srinivasadigital11@gmail.com



- 66(a) -

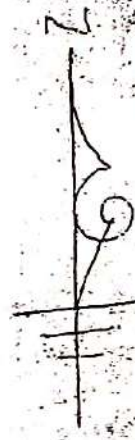
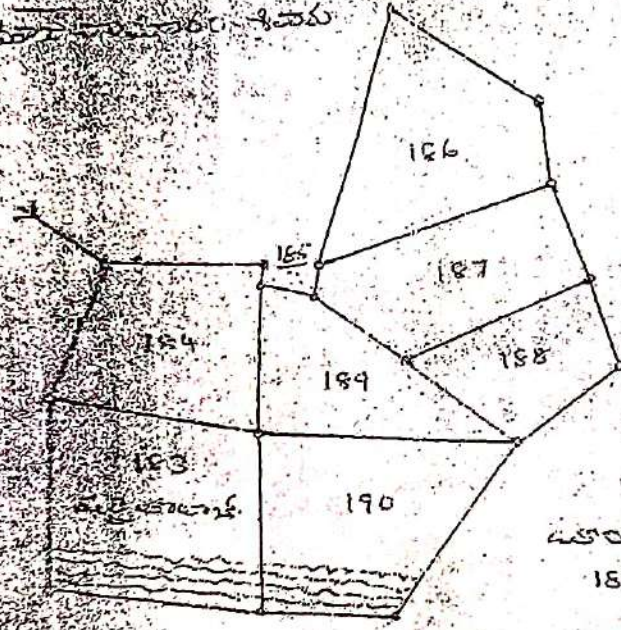
55

Sl.No.	Na. M.Sur
1.	
2.	

K3/1669/200  
 PC.No/425/2



అంకం 160-3-50



Paper: mo

అంకం 160-3-50  
 186, 187, 188, 189, 1

అంకం 160-3-50

Copied by  
 S.D.M.

Village: MOOSAF  
 Mandal: - Balana  
 Dist: - Rangare  
 Scale: 5" = 1 km  
 Year: 1353.

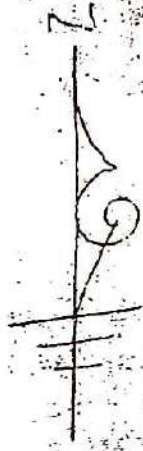
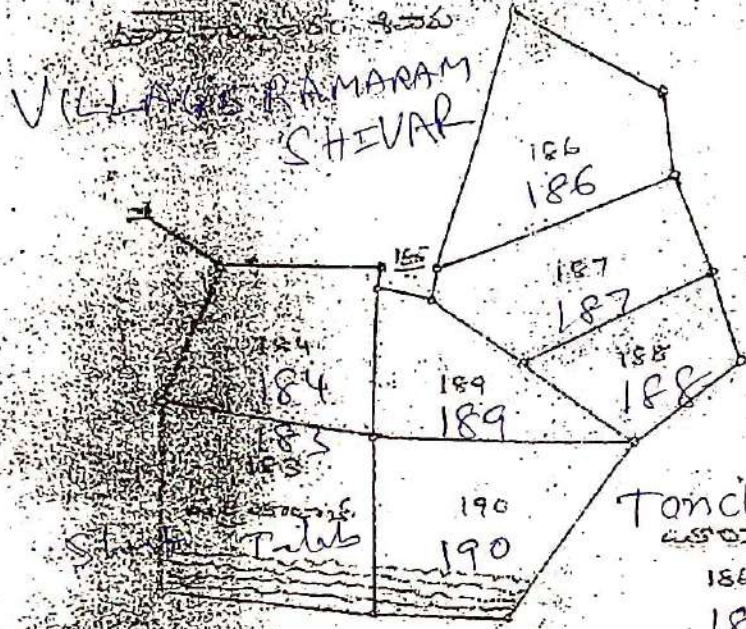
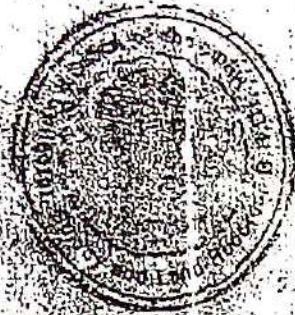
TRUE COPY

Inspector  
 Survey and Land Records,  
 Banna Reddy, Dist.  
 S.D.M.

Sl.No.	No.	M.Sur
1.		
2.		

SS

K3/1869/201  
PC.No/425/21



Paper no  
Tonch Plat Sy. No  
186, 187, 188, 189, 1  
186, 187, 188, 189

ಶ್ರೀ ಶಂಕರ ಎಸ್. ಎಸ್. ಎಸ್. ಎಸ್. ಎಸ್.

Village Kukatpally  
by Bagath Shree  
S.D.M.

Village: MOOSAF  
Mandal: - Belangur  
Dist: - Bangalore  
Scale: 5" = 1 km  
Year: 1353.

TRUE COPY

Inspector  
Survey and Land Records  
Bangalore Dist.



67(a)

//ONE RUPEE COPY STAMP//  
GOVERNMENT OF ANDHRA PRADESH  
//SEAL//

K3/1669/2002  
PC/425/2002

A3/902/2002

PANCHANAMA BIL MUFASA DEPUTY INSPECTOR, CHEVELLA DIVISION  
RANGA REDDY DISTRICT: CAMP MUSAPET DATED 30.05.2002

Sl.No.	Name of panchas	Father's name	Age	Occupation	Residence
1.	M.Suresh Reddy	Marreddy	37	Electrician	37/70, Jagadirigutta
2.	G.Vasudeva Rao	Yadagiri Rao	32	Business	35-3/10, Venkateswara Nagar, Jagadgirigutta
3.	P.Krishna Rao	Narsing Rao	30	Business	3-15, Kukatpally

We, the above mentioned three panchas, on the request of Deputy Inspector, Chevella division, Musapet village Sy.No.183, 184, 186, 187, 188, 189, 190 assembled along with Balanagar Mandal Surveyor and Qutbullapur mandal surveyor. There the Deputy Inspector, Chevella division, as per the orders of the A.D. Ranga Reddy district in file No.A3/920/2002, Musapet village survey No.183, 184, 186, 187, 188, 189, 190 as per bandobast records and with the help of Naksha (plan) measured and shown the boundaries and the applicant was permitted to make boundary stones wherever the boundary stones are not there. The above panchanama was read over to us on the spot and hence signed the same as true.

Sd/x (Signature in English applicant)

Witnesses

1. Sd/(signed in English)
2. Sd/(Signed in Telugu)

Signatures of panchas

1. Sd/x (signed in Telugu)
- 2.Sd/x (signed in English)
- 3.Sd/x(signed in English)

Panchanama conducted before me

Sd/x (signed in English)

Dy.IOS, 30/5.

Sd/xx (Signed in English)

MS.Qpur. 30.05.2002

//true translation//

GOVERNMENT OF TELANGANA



the Assistant Director  
Survey & Land Records  
Ranga Reddy District.

Under R.T.I Act.

No. R3/1599/2014

Date:- 21-11-2014

Sub-RTI Act - 2005 - Requested for issue the copy of Sketch & report in file No Lokayuktha ref No 3613/2012/1/LOC/6243/2013 dated 28-11-2013 of Quthbullapur village & Mandal - Regarding.

Ref - A/o Sri.P.Balakrishna, dated:-9-6-2014.

It is submitted that with reference to above subject cited, the petitioner has requested for issue the copy of Sketch & report in file No Lokayuktha ref No 3613/2012/1/LOC/6243/2013 dated 28-11-2013 of Quthbullapur village & Mandal.

In view of the above, on receipt of the file from the section the requested report is available and the same is issued under R.T.I. Act.

-sd/-

ASSISTANT DIRECTOR  
SURVEY & LAND RECORDS,  
RANGA REDDY DISTRICT

Sri P. Balakrishna,  
Plot No 154, Bhudevi Hills,  
Tudasingar, Allwyn Colony-Phase II,  
Kukatpally, Hyderabad -500072.  
Phone No. 9848068336.

// E.O //

INSPECTOR OF SURVEY  
ASST. PUBLIC INFORMATION OFFICER  
S&LRS, R.E. DISTRICT

7

JOINT INSPECTION REPORT REGARDING BOUNDARY DISPUTE IN  
RESPECT OF SY NO'S 187 TO 190 OF MOOSAPET VILLAGE OF  
BALANAGAR MANDAL AND SY NO 348/1 OF QUTUBULLAHPUR  
VILLAGE AND MANDAL.

In compliance to the instructions contained in the Collector Ranga Reddy District Lr No LP4/581/2013 dated 25-2-2014 and in light of the directions issued by Hon'ble Lokayukta vide Lr Dis No-3613/2012/B1/LOK/6243/2013 dated 28-11-2013, a team of officials comprising the Revenue Divisional Officer, Balanagar Division, Revenue Divisional Officer, Malkajgiri Division, Assistant Director Survey & Land Records Ranga Reddy District and Tahsildar, Qutubullahpur Mandal, conducted the spot inspection of Sy No 187 & 190 of Qutubullahpur Village with the help of Village maps, and on the basis of report of Inspector of Survey and supporting Sketches. As could be seen from the Village map during revision survey the old Sy no. 166 (popularly called as "Parki Talab") was divided into (7) parts assigning Sy No (old) 166 as Sy No. 183, 184, 186, 187,

188,

189 and 190 and correlated as follows:-

166/1	186	-	Ac 17 - 07 Gts
166/2	187	-	Ac 15 - 05 Gts
166/3	188	-	Ac 10 - 18 Gts
166/4	190	-	Ac 19 - 04 Gts
166/5	189	-	Ac 13 - 24 Gts
166/6	184	-	Ac 16 - 15 Gts
166/7	183	-	Ac 12 - 29 Gts

The Field boundaries of above Sy No's have been re-fixed by Inspector of Survey by using ETS Machine and found that there is a overlap on the ground in between both the villages of Moosapet & Qutubullahpur, similarly we have verified the ground position of Sy No 348, of Qutubullahpur Village. It was noticed that earlier the Sy No 348 pertains to Sy No 374 of Kukatpally village, Balanagar Mandal. Later on the said Sy No 374 of Kukatpally has transferred and clubbed in Qutubullahpur village, and being recorded as Sy No 348 in Qutubullahpur village.

The village boundary in respect of Sy No 348 of Qutubullahpur village, and the village boundary of Moosapet in respect of Sy No 183 to 190 have been re-fixed on the ground. The common village boundary is not co-inside on the ground and also with the village map of each other it is noticed that the part of Sy No 348 of Qutubullahpur village is overlapping with the parts of Sy No's 183 extent Ac 0-23 gts, Sy No 188, extent Ac 7-30 gts, Sy No 189 extent Ac 2-10 gts, and Sy No 190 extent Ac 4-14 gts (total measuring Ac 14-36 gts).

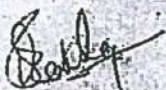
Further it is submit that an extent of Ac. 45-01 gts was acquired out of Ac 104-22 gts in Sy No 183 to 190 for Perki Cheruvu vide file number G/410/LA/72 Dated: 31-5-1978. the details are as under :-

SY NO	TOTAL	ACQUIRED	BALANCE LAND LEFT WITH PATTEDAR
183	12-19	10-20	2-09
184	16-15	11-31	4-24
185	-	-	-
186	17-07	1-17	15-30
187	15-05	4-22	10-23
188	10-18	0-14	10-04
189	13-24	8-39	4-25
190	19-04	7-18	11-26
TOTAL	104-22	45-01	59-21

A detailed sketch showing the overlapping area is prepared & enclosed herewith. In this, the overlapping area requires deletion from the Sy No 348 of Qutubullahpur village, the Sy No 348 of Qutubullahpur village is a Government land and where as the Sy No's 183 to 190 of Moosapet village are private lands.

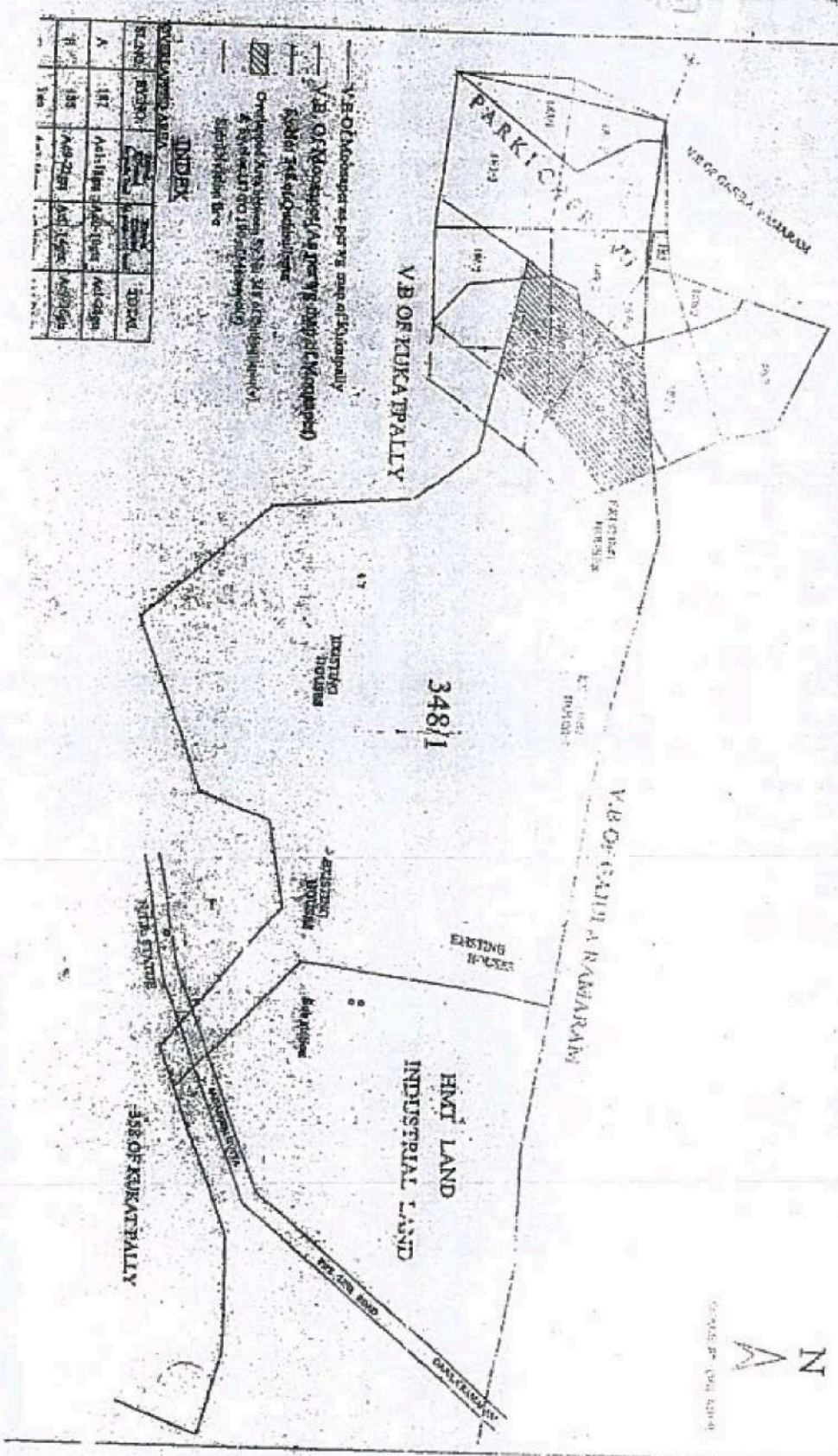
As per G.O.A circular No. S1/1009/2011 CSSLRs dated 18-5-2011 the resolution of village boundary disputes shall be dealt under section 90 and 91 of AP (R.A) and Rev Act 1317 Fasli.

In this case same piece of land is included in two villages in one village it is recorded as patta land and in adjoining village it is recorded as Government land. Since the Government land is involved in this case, the provision of section 87 of AP (TA) LR Act shall also attract to this case, besides section 90 and 91 of AP (TA) LR Act it needs enquiry by the District Revenue Officer u/s 90 and 91 of AP (TA) LR Act, 1317 Faslî and it needs quasi judicial enquiry by the Joint Collector u/s 87 of AP (TA) LR Act, there after necessary correction proposals have to be submitted to the Commissioner Survey Settlement & Land Records for sanction of correction.



ASSISTANT DIRECTOR  
SURVEY & LAND RECORDS  
RANGA REDDY DISTRICT

SKETCH SHOWING THE SY.No: 348 OF OUTHULLAPUR(V&M) AND PARKI CHERUVU  
 Sy.No: 183,184,185,186,187,188,189 & 190 OF MOOSAPET (V) BALANAGAR(M) R.R. DIST.



SL. NO.	SY. NO.	AREA (Acres)	TOTAL
1	183	1.00	1.00
2	184	1.00	2.00
3	185	1.00	3.00
4	186	1.00	4.00
5	187	1.00	5.00
6	188	1.00	6.00
7	189	1.00	7.00
8	190	1.00	8.00
TOTAL		8.00	8.00

**INDEX**

[Symbol: Dotted line] V.B. of Moosapet R.R. (V&M) District  
 [Symbol: Solid line] V.B. of Kukatpally  
 [Symbol: Dashed line] V.B. of Guru Ramaray  
 [Symbol: Dotted line] V.B. of Sudh A Ramaray  
 [Symbol: Hatched area] Overlaid area between Sy.No. 348 (Outhullapur) & Sy.No. 183-190 (Moosapet) R.R. District  
 [Symbol: Small square] Existing houses  
 [Symbol: Small circle] Existing bungalow

GOVERNMENT OF TELANGANA  
REVENUE DEPARTMENT

From:  
R. Govardhan,  
Tahsildar,  
Kukatpally Mandal.

To:  
The Registrar,  
Institution of Lokayukta  
of Telangana,  
Hyderabad.

Sir,

Lr.No.B/1106/2020 Dated. 29.07.2021

Sub:- Lokayukta Complaint No.609/2020/B1 - Medchal-Malkajgiri District - Malkajgiri Division - Kukatpally Mandal - Moosapet Village - Sy.Nos. 183/1, 184/1, 186/1, 187/1, 188/1, 189/1 and 190/1 - Plot Ncs.71, 455, 13, 14, 15, 16, 17, 18 - Complaint filed by Sri.Bade Anjaneya Varaprasad & 2 others - Call for comments - Report submitted - Regarding.

- Ref:-
1. The Registrar, Institution of Lokayukta, Lr. Dis. No. 609/2020/B1/Lok/6825/2020 Dated.01.09.2020.
  2. This office Lr. No.even Dated.07.10.2020 addressed to the Registrar, Institution of Lokayukta.
  3. The Registrar, Institution of Lokayukta, Lr. Dis. No. 609/2020/B1/Lok/1828/2021 Dated.30.03.2021.
  4. This office Lr.No.even Dated.14.06.2021 addressed to the Registrar, Institution of Lokayukta of Telangana.
  5. The Registrar, Institution of Lokayukta, Lr. Dis. No. 609/2020/B1/Lok/4480/2021 Dated.10.06.2021.

I invite kind attention to the subject and references cited and submit that, vide the reference 5<sup>th</sup> cited it was informed that, having regard to suspension of bench (Court) work in the Institution of Lokayukta due to Corona virus (COVID-19), the next date of hearing is fixed on 02.08.2021 at 11.00 A.M and in this regard, it was directed to file comments on said date.

It is submitted that, vide the reference 2<sup>nd</sup> & 4<sup>th</sup> cited (copy enclosed), a detailed report was submitted. As per records available and copy of Award issued by Land Acquisition Officer vide No.G/4270/LA/72 Dated.31.03.1978, land acquisition award was executed in Moosapet Village for the lands coming under submergence of Pariki Cheruvu for restoration to an extent of Ac.45-01 gts comprising of Sy.No.183/? (Ac.10-20 gts), Sy.No.184/2 (Ac.11-31 gts), Sy.No.186 (Ac.1-17gts), Sy. No.187/2 (Ac.4-22 gts), Sy.No.188/2 (Ac.0-14 gts), Sy.No.189/2 (Ac.8-39gts), Sy. No.190/2 (Ac.7-18 gts) of Moosapet Village and compensation was awarded to Sri Ch. Hanumantha Rao S/o. Ch. Venkat Rao and to Sri Ch. Padma Rao S/o. Rama Rao.

Further, as per Pahani for the year 2015-2016, Sy.No.'s.183, 184, 186, 187, 188, 189 and 190 of Moosapet Village, Kukatpally Mandal, the details are recorded as below:

Sy No	Ext Ac.gts	Classification	Name of the pattedar as per pattedar column	Name of the Possessor as per possessioncolumn
183/1	2-09	Patta	Meer Fazalathulla & others	Pariki Cheruvu Garbab
183/2	10-20	K.K.Sarkari	Shikam Parki Cheruvu	Parki Cheruvu
184/1	4-24	Patta	Meer Fazalathulla & others	Pariki Cheruvu Garbab
184/2	11-31	K.K. Sarkari	Shikam Parki Cheruvu	Parki Cheruvu

185	0-26	K.K. Sarkari	Shikam Parki Cheruvu	Parki Cheruvu
186/1	15-30	Patta	Meer Fazalathulla & others	Pariki Cheruvu Garbab
186/2	1-17	K.K. Sarkari	Shikam Parki Cheruvu	Parki Cheruvu
187/1	10-23	Patta	Meer Fazalathulla & others	Pariki Cheruvu Garbab
187/2	4-22	K.K. Sarkari	Shikam Parki Cheruvu	Parki Cheruvu
188/1	10-04	Patta	Meer Fazalathulla & others	Pariki Cheruvu Garbab
188/2	0-14	K.K. Sarkari	Shikam Parki Cheruvu	Parki Cheruvu
189/1	12-25	Patta	Meer Fazalathulla & others	Pariki Cheruvu Garbab
189/2	0-39	K.K. Sarkari	Shikam Parki Cheruvu	Parki Cheruvu
190/1	11-26	Patta	Meer Fazalathulla & others	Pariki Cheruvu Garbab
190/2	7-18	K.K. Sarkari	Shikam Parki Cheruvu	Parki Cheruvu

Further, submitted that, one Sri.Boini Venkatesh has filed a complaint before the Hon'ble Lokayuktha in Case No.3613/2012 alleging that revenue officials of Quthbullapur Mandal and Balanagar Mandal are encouraging the land grabbers who are encroaching the Grave yard and Government lands in Sy.No.348/1 & 222 of Gajularamaram Village, Quthbullapur Mandal.

As per the directions of the Hon'ble Lokayuktha in the Case No. 3613/2012/B1/Lok/6243/2013 Dated.28.11.2013, detailed survey was conducted by a team of officials comprising the RDO, Rajendra Nagar Division, RDO Malkajgiri Division, AD S & LR Rangireddy District and Tahsildars.

As per the copy of the joint inspection report of AD S & LR vide Lr. No. K3/1699/14, in the conducted survey by ETS machine, it is found that, there is an overlap on the ground between the villages of Moosapet & Quthbullapur Villages. Further, Sy.No.348 of Quthbullapur Village pertains to Sy.No.374 of Kukatpally Village, later the said Sy.No.374 of Kukatpally Village was transferred and clubbed in Quthbullapur Village and recorded as Sy.No.348 in Quthbullapur Village. Further, it was stated that, part of Sy.No.348 of Quthbullapur Village is overlapping with the parts of Sy.Nos.187 (Ac.0-22 gts), Sy.No.188 (Ac.7-30 gts), Sy.No.189 (Ac.2-10 gts) and Sy.No.190 (Ac.4-14 gts) total admeasuring Ac.14-36 gts of Moosapet Village.

Further, it was stated that, an extent of Ac.45-01 gts was acquired out of Ac.104-22 gts in Sy.No.183 to 190 of Pariki Cheruvu vide G/4270/LA/72 Dated.31.05.1978 as follows:

Sy.No	Total	Acquired	Balance land left with Pattedar
183	12-19	10-20	2-09
184	16-15	11-31	4-24
185	-	-	-
186	17-07	1-17	15-30
187	15-05	4-22	10-23
188	10-18	0-14	10-04
189	13-24	8-39	4-25
190	19-04	7-18	11-26

Further, it was stated that, the overlapping area requires deletion from Sy.No.348 Quthbullapur Village, Sy.No.348 of Quthbullapur Village is a Government land and whereas Sy.Nos.183 to 190 of Moosapet Village are recorded as patta lands. As per CCLA circular Rc.No. S1/1009/2011 CSSLRs dated.18.05.2011, the resolution of village boundary disputes shall be dealt under Section 90 and 91 of AP(TA) Land Rev Act 1317 Fasli. The same piece of land is included in two villages, in one village, it is recorded as Patta land and in adjoining village, it is recorded as Government land. Since the Government land is involved in this case, the provision of Section 87 of AP (TA) LR Act shall also attract to this case, besides Section.90 and 91 of AP (TA) LR Act it needs enquiry by the District Revenue Officer U/s:90 and 91 of AP (TA) LR Act, 1317 Fasli and it needs quasi judicial enquiry by Joint Collector u/s. 87 of AP (TA) LR Act, thereafter necessary correction proposals have to be submitted to the Commissioner Survey Settlement & Land Records, Hyderabad for sanction of correction. Presently the case was taken up for hearing before the Additional Collector, Medchal-Malkajgiri District and it appears that the case has not attained finality.

Further, it is submitted that, one Sri.Ch.Hanumanth Rao S/o Ch.Venkaiiah & Ch.Kondal Rao S/o Rama Rao have filed an OS.No.618 of 2007 Dt:- 26.08.2018 filed before the Court of XIII Addl. District & Sessions Judge, RR District with a claim suit for injunction restraining the defendants (Govt of AP rep.by District Collector, MRO, Kukatpally, MRO Quthbullapur, AP Housing Board) or any person claiming through them from interfering with the possession and enjoyment of suit schedule property i.e., agricultural land bearing Sy.No.183/1(Ac: 2-09 Gts), Sy.No.184/1(Ac: 2-09 Gts), Sy.No.184/1(Ac.4-24 gts), Sy.No.185/1 (Ac.15-30 Gts), Sy.No.187/1(Ac: 10-23 Gts), Sy.No.188/1(Ac.10-04 Gts), Sy.No.189/1(Ac: 12-25 Gts), Sy.No.190/1(Ac: 3-26 Gts) Total admeasuring Ac: 59-21 Gts situated at Moosapet (Vg). The Hon'ble Court has passed judgement granting permanent injunction restraining the Defendants or any person claiming through them from interfering with the peaceful possession & enjoyment of the Plaintiffs over the suit schedule property.

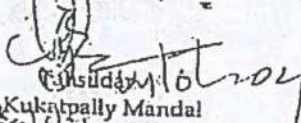
In this regard, it is submitted that, under the guise of permanent injunction granted by the Hon'ble Court in OS.No.618 of 2007 and based on notarized documents, some persons are trying to encroach the overlapped area which is restrained by the field staff of this office.

Further, it is submitted that, the mentioned Sy.Nos. were noted as Overlapping in Dharani website as the overlapping issue is pending. The necessary corrections & updations will be made in Dharani website as per the instructions received from higher authorities with respect to finality of overlapping issue.

This is for favour of kind information.

Encl: as above

Yours faithfully,

  
S. S. Srinivasulu Reddy  
Kukatpally Mandal

Copy submitted to the Collector, & District Magistrate, Medchal-Malkajgiri District for favour of kind information  
Copy submitted to the Revenue Divisional Officer, Malkajgiri Division for favour of kind information

GOVERNMENT OF TELANGANA  
REVENUE DEPARTMENT

From:  
R. Govardhan,  
Tahsildar,  
Kukatpally Mandal.

To  
The Registrar,  
Institution of Lokayukta  
of Telangana,  
Hyderabad.

Sir,

Lr.No.B/1106/2020 Dated.07.10.2020

Sub- Lokayukta Complaint No.609/2020/B1 - Medchal-Malkajgiri District - Malkajgiri Division - Kukatpally Mandal - Moosapet Village - Sy.Nos. 183/1, 134/1, 186/1, 187/1, 188/1, 189/1 and 190/1 - Plot Nos.71, 455, 13, 14, 15, 16, 17, 18.- Complaint filed by Sri Bade Anjaneya Varaprasad & 2 others.- Orders passed - Report submitted - Regarding.

- Ref:-
1. This Office.Lr. No B/1086/2013 Dt.06.03.2020 addressed to the Collector & District Magistrate.
  2. Joint report of the Mandal Girdavar-II and Mandal Surveyor, Dated.12.06.2020.
  3. The Registrar, Institution of Lokayukta, Lr. Dis. No. 609/2020/B1/Lok/6825/2020 Dated.01.09.2020.

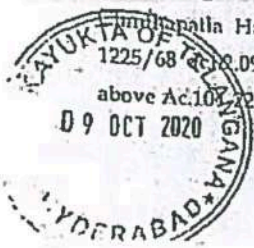
I invite kind attention to the subject and references cited and submit that, vide the reference 3<sup>rd</sup> cited while enclosing the Form No. 1 & 2, Statement of Complainant, it was stated that, the Hon'ble Lokayuktha has passed the following orders in Complaint No. 609/2020/B1 on 31.08.2020.

*"In the facts and circumstances of the case explained at para-16, there shall be a direction to the Public Servants 1 to 5, not to interfere into the peaceful possession and enjoyment of the land by the complainant until further orders".*

It is submitted that, on perusal of the complaint filed by Sri Bade Anjaneya Varaprasad & 2 others: against the Public Servants 1) The District Collector, Medchal-Malkajgiri District 2) The Tahsildar, Quthbullapur Mandal 3) The Tahsildar, Kukatpally Mandal 4) The Dy.Commissioner, Circle-24 GHMC, Kukatpally 5) The Superintendent Engineer, North Tanks Division, the complainants have stated that, a) Sri Bade Anjaneya Varaprasad (Complainant 1) is owner of Plot bearing No.71 admeasuring 80 Sq.Yds b) Smt. Deshetty Saritha (Complainant 2) W/o. D. Swamy is owner of Plot No. 455 admeasuring 40 Sq.Yds c) Pottapalli Balakrishna (Complainant 3) S/o. P. Chelaniah is the owner of Plot Nos. 13, 14, 15, 16, 17, 18 admeasuring each 80 Sq.Yds situated in Sy.No.183/1, 184/1, 186/1, 187/1, 188/1, 189/1 and 190/1 of Moosapet Village.

Further, the Complainants have stated that, originally the lands admeasuring Ac.104-22 gts belonged to Mr. Abdul Jaffar & 4 others, they sold the lands to Sri Pottapalli Hanumanth Rao, & Sri Chinthapatta Padma Rao vide Reg. Deed No. 1225/68 dt.09.1968. In the year 1972, Government acquired Ac.45-01 gts from the above Ac.104-22 gts, in the year 1978 subdivision took place and land allotted to Patti

(Contd..Pg 2)



tank/Moosapet tank was subdivided as 183/2, 184/2, 186/2, 187/2, 188/2, 189/2, 190/2 (Total Extent Ac.45-01 gts) and patta land as 183/1, 184/1, 186/1, 187/1, 188/1, 189/1, 190/1 (Total Extent Ac.59-21 gts). The Village map of Quthbullapur shows that on the North & East side of Pariki Cheruvu exist Sy.No.348 of Quthbullapur Village and Government lands in Sy.No.36 of Kukatpally Village. The Village map does not show their patta land in Sy.No. 183/1, 184/1, 186/1 to 190 admeasuring Ac.59-21 gts.

Further, the Complainants have stated that, in Lokayuktha Complaint Case No.B1/3613/12 which was filed by Boiyar Venkatesh, Survey was conducted and found that, there is an overlapping of Government land in Sy.No.348 of Quthbullapur Village with parts of Sy.Nos. 187, 188, 189, 190. The survey was conducted in the year 2014 and till now no enquiry proceedings were conducted and the matter was kept in abeyance.

Further, it was stated that, the 13<sup>th</sup> Additional District and Sessions Judge, Rangareddy District at LB Nagar has passed the decree of Permanent Injunction restraining the defendants (Government) from interfering with the peaceful possession of plaintiff over the land in Sy.No.183/1, 184/1, 186/1, 187/1, 188/1, 189/1, 190/1 of Moosapet Village. Even after the judgement, the Tahsildar of Kukatpally and Quthbullapur are interfering and attempting to demolish the small tenements which have been constructed.

Further, the complainant has stated that, the Tahsildar, Kukatpally Mandal has trespassed into the private land and also kept Sy.No.185/1, 184/1, 186/1, 187/1, 188/1, 189/1, 190/1 of Moosapet Village total admeasuring Ac.59-21 gts in Dharani website as "Unsettled land" and forwarding the same to Municipal and Registration Authorities due to which mutations and registrations are hampered.

In this regard, it is submitted that, as per records available and copy of Award issued by Land Acquisition Officer vide No.G/4270/LA/72 Dated.31.03.1978, land acquisition award was executed in Moosapet Village for the lands coming under submergence of Pariki Cheruvu for restoration to an extent of Ac.45-01 gts comprising of Sy.No.183/2 (Ac.10-20 gts), Sy.No.184/2 (Ac.11-31 gts), Sy.No.186 (Ac.1-17gts), Sy.No.187/2 (Ac.4-22 gts), Sy.No.188/2 (Ac.0-14 gts), Sy.No.189/2 (Ac.8-34gts), Sy.No.190/2 (Ac.7-18 gts) of Moosapet Village and compensation was awarded to Sri Ch. Hanumantha Rao S/o. Ch. Venkat Rao and to Sri Ch. Padma Rao S/o. Rama Rao.

(Contd.. Pg 3)

Further, as per Pahanl for the year 2015-2016, Sy.No.'s.183, 184, 186, 187, 188, 189 and 190 of Moosapet Village, Kukatpally Mandal, the details are recorded as below:

Sy.No	Ext Ac.gts	Classification	Name of the pattedar as per pattedar column	Name of the Possessor as per possession column
183/1	2-09	Patta	Meer Fazalathulla & others	Pariki Cheruvu Garbab
183/2	10-20	K.K.Sarkari	Shikam Parki Cheruvu	Parki Cheruvu
184/1	4-24	Patta	Meer Fazalathulla & others	Pariki Cheruvu Garbab
184/2	11-31	K.K.Sarkari	Shikam Parki Cheruvu	Parki Cheruvu
185	0-26	K.K.Sarkari	Shikam Parki Cheruvu	Parki Cheruvu
186/1	15-30	Patta	Meer Fazalathulla & others	Pariki Cheruvu Garbab
186/2	1-17	K.K.Sarkari	Shikam Parki Cheruvu	Parki Cheruvu
187/1	10-23	Patta	Meer Fazalathulla & others	Pariki Cheruvu Garbab
187/2	4-22	K.K.Sarkari	Shikam Parki Cheruvu	Parki Cheruvu
188/1	10-04	Patta	Meer Fazalathulla & others	Pariki Cheruvu Garbab
188/2	0-14	K.K.Sarkari	Shikam Parki Cheruvu	Parki Cheruvu
189/1	12-25	Patta	Meer Fazalathulla & others	Pariki Cheruvu Garbab
189/2	0-39	K.K.Sarkari	Shikam Parki Cheruvu	Parki Cheruvu
190/1	11-26	Patta	Meer Fazalathulla & others	Pariki Cheruvu Garbab
190/2	7-18	K.K.Sarkari	Shikam Parki Cheruvu	Parki Cheruvu

Further, submitted that, one Sri.Boini Venkatesh has filed a complaint before the Hon'ble Lokayuktha in Case No.3613/2012 alleging that revenue officials of Quthbullapur Mandal and Balanagar Mandal are encouraging the land grabbers who are encroaching the Grave yard and Government lands in Sy.No.348/1 & 222 of Gajularamarani Village, Quthbullapur Mandal.

As per the directions of the Hon'ble Lokayuktha in the Case No. 3613/2012/B1/Lok/6243/2013 Dated.28.11.2013, detailed survey was conducted by a team of officials comprising the RDO, Rajendra Nagar Division, RDO Malkajgiri Division, ADS & LR Ranga Reddy District and Tahsildars.

As per the copy of the joint inspection report of AD S & LR vide Lt. No. K3/1699/14, in the conducted survey by ETS machine, it is found that, there is a overlap on the ground between the villages of Moosapet & Quthbullapur Villages. Further, Sy.No.348 of Quthbullapur Village pertains to Sy.No.374 of Kukatpally Village, later the said Sy.No.374 of Kukatpally Village was transferred and clubbed in Quthbullapur Village and recorded as Sy.No.348 in Quthbullapur Village. Further, it was stated that, part of Sy.No.348 of Quthbullapur Village is overlapping with the parts of Sy.Nos.187 (Ac.0-22 gts), Sy.No.188 (Ac.7-30 gts), Sy.No.189 (Ac.2-10 gts) and Sy.No.190 (Ac.4-14 gts) total admeasuring Ac.14-36 gts of Moosapet Village.

(Contd. Pg 4)

Further, it was stated that, an extent of Ac.45-01 gls was acquired out of Ac.104-21 gls in Sy.No.183 to 190 of Pariki Cheruvu vide G/4270/LA/72 Dated.31.05.1978 as follows:

Sy.No	Total	Acquired	Balance land left with Pattedar
183	12-19	10-20	2-09
184	16-15	11-31	4-24
185	-	-	-
186	17-07	1-17	15-30
187	15-05	4-22	10-23
188	10-18	0-14	10-04
189	13-24	8-39	4-25
190	19-04	7-18	11-26
Total	104-22	45-01	59-21

Further, it was stated that, the overlapping area requires deletion from Sy.No.348 of Quthbullapur Village, Sy.No.348 of Quthbullapur Village is a Government land and whereas Sy.Nos.183 to 190 of Moosapet Village are recorded as patta lands. As per CCLA circular Rc.No. S1/1009/2011 CSSLRs dated.18.05.2011, the resolution of village boundary disputes shall be dealt under Section 90 and 91 of AP(TA) Land Rev Act 1317 Fasli. The same piece of land is included in two villages, in one village, it is recorded as Patta land and in adjoining village, it is recorded as Government land. Since the Government land is involved in this case, the provision of Section 87 of AP (TA) LR Act shall also attract to this case, besides Section 90 and 91 of AP (TA) LR Act it needs enquiry by the District Revenue Officer U/s 90 and 91 of AP (TA) LR Act, 1317 Fasli and it needs quasi judicial enquiry by Joint Collector u/s. 87 of AP (TA) LR Act, thereafter necessary correction proposals have to be submitted to the Commissioner Survey Settlement & Land Records, Hyderabad for sanction of correction. Presently the case was taken up for hearing before the Additional Collector, Medchal-Malkajgiri District and it appears that the case has not attained finality.

Further, regarding the complaint filed by Sri Boini Venkatesh of encroachment of grave yard and Government land in Sy.Nos. 348/1 & 2/2 of Gajula Ramaram Village, Quthbullapur Mandal, report was submitted vide the reference 1<sup>st</sup> cited stating that enquiry was conducted and found that the existing graves fall in Sy.No.188 of Moosapet Vg and Sy.No.348/1 of Quthbullapur Vg which are overlapping.

Further, it is submitted that, one Sri.Ch.Hanumanth Rao S/o Ch.Venkaiiah & Ch.Kondal Rao S/o Rama Rao have filed an OS.No.618 of 2007 Dt:- 26.08.2018 filed before the Court of XIII Addl. District & Sessions Judge, RR District with a claim suit for injunction restraining the defendants (Govt of AP rep.by District Collector, MRO, Kulatpally, MRO Quthbullapur, AP Housing Board) or any person claiming through them from interfering with the possession and enjoyment of suit schedule (Contd.. Pg 5)

property i.e., agricultural land bearing Sy.No.183/1(Ac: 2-09 Gts), Sy.No.184/1(Ac: 2-09 Gts), Sy.No.184/1(Ac: 4-24 gts), Sy.No.185/1 (Ac:15-30 Gts), Sy.No.187/1(Ac: 10-23 Gts), Sy.No.188/1(Ac:10-04 Gts), Sy.No.189/1(Ac: 12-25 Gts), Sy.No.190/1(Ac: 3-26 Gts) Total measuring Ac: 59-21 Gts situated at Moosapet (Vg). The Hon'ble Court has passed judgement granting permanent injunction restraining the Defendants or any person claiming through them from interfering with the peaceful possession & enjoyment of the Plaintiffs over the suit schedule property.

Further, the Mandal Girdavar-II on 01.02.2020 has reported that, Sri Balakrishna has dumped debris and levelled the land throwing the debris into Pariki Cheruvu water body i.e. FTL and requested to book criminal case against Sri Balakrishna and vide this office Lr. No. B/108/2020 Dt.03.02.2020, a letter was addressed to the Station House Officer, Jagadtrigutta Police Station to book criminal case against Sri Balakrishna.

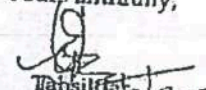
Further it is to submit that, vide the reference 2<sup>nd</sup> cited, the Mandal Girdavar-II and Mandal Surveyor have reported that, with the help of Village map it was found that, there is overlapping issue between Sy.Nos.186, 187, 188, 189 and 190 of Moosapet Village with Sy.No. 348/1 of Quithbullapur Village and also overlapping issue between Sy.Nos. 183 & 184 of Moosapet Village with Sy.No.336 of Kukatpally Village. Further, it was reported that, there are (8) new ongoing constructions which are located at overlapping area of Kukatpally and Moosapet Village, where construction work has been stopped and the notarized documents were submitted by the persons wherein it was stated that, the land in respect of Sy.Nos. 182/1, 184/1, 186/1 to 190/1 of Moosapet Village, Udaa survey numbers was purchased from Sri P. Balakrishna.

In this regard, it is submitted that, under the guise of permanent injunction granted by the Hon'ble Court in OS.No.618 of 2007 and based on notarized documents, some persons are trying to encroach the overlapped area which is restrained by the field staff of this office.

Further, it is submitted that, the mentioned Sy.Nos. were noted as Overlapping in Dharani website as the overlapping issue is pending. The necessary corrections & updations will be made in Dharani website as per the instructions received from higher authorities with respect to finality of overlapping issue.

This is for favour of kind information.

Yours faithfully,

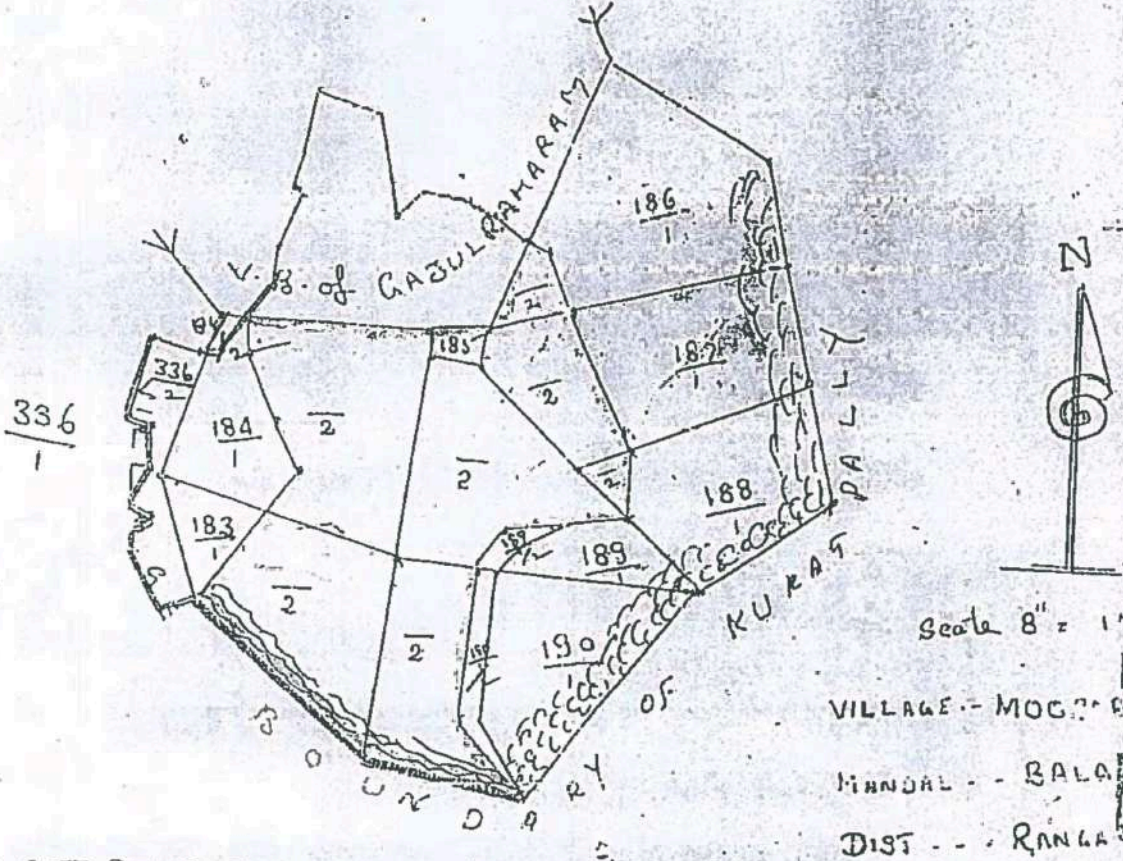
  
Revenue Divisional Officer,  
Malkajgiri Mandal

Encl: as above

Copy submitted to the Collector & District Magistrate, Medchal-Malkajgiri District for favour of kind information  
Copy submitted to the Revenue Divisional Officer, Malkajgiri Division for favour of kind information

PARKI CHARU

P<sub>11</sub> 70



ABSTRACT

Sl. No.	Particular	Sy. no.	Area	Mark
1	S. KAM 186/1	16/150/2	37.36	
	183/1	184/1	4.24	
	"	183/1	2.09	
	"	190/1	10.22	
	"	189/1	11.20	
	Kurapatally F.T.L	336/2	4.17	
			51.08	

INDEX

Sl. No.	Reference	Mark
1	S. KAM	
2	F.T.L	
3	Band	

- 82 -

Rd. Alu  
18/10/8

M  
A

SCANNED

Date No- 4840/2014



ఆంధ్రప్రదేశ్ రాష్ట్రం ANDHRA PRADESH

పే.నం. 3083 ఆర్. 21. 8/10/07.  
 చి.నం. చి.నం. కుమార్  
 పే.నం. మ. నం. కుమార్

Ch. Hanumanth  
 KCP 10/2

GENERAL POWER OF ATTORNEY

Known all Men by these present that I,

SRI. CHINTAPATLA HANUMANTH RAO son of SRI. CHINTAPATLA VENKAIAH, aged about 75 years, Occupation: Agriculture, R/o. H.No.5-3-113, Kukatapally, Hyderabad-72.

Hereinafter called the "Executant"

do hereby nominate, constitute and appoint My Son:

SRI. CH. ANIL KUMAR son of SRI. CHINTAPATLA HANUMANTH RAO, aged about 48 years, Occupation: Business, R/o. H.No.5-3-113, Kukatapally, Hyderabad-72.

as my lawful "Attorney" for me to do the following acts, deeds and things on my behalf.

§  
 §  
 §  
 §

Ch. Hanumanth

Contd. 2.

Office of the District Registrar, Kukatpally  
 Presentation Endorsement:  
 Presented in the Office of the Joint Sub-Registrar, Kukatpally along with the  
 Photographs & Thumb Impressions as required under Section 32-A of Registration Act,  
 1908 and fee of Rs. 20000/- paid between the hours of 10:00 AM and 12:00 PM on  
 the 23rd day of AUG, 2014 by Sri C.Hanmanth Rao.

Execution admitted by (Details of all Executants/Claimants under Sec 32A):  
 S.No. Code Thumb Impression Photo Signature/Ink Thumb Impression

1	AY			CH ANIL KUMAR::23 [1511-1-2014-5037]	
2	PL			CHINTAPATLA HANMANTH RAO S/O, CHINTAPATLA VENKAIAH H.NO. 5-3-113 KUKATPALLY, HYD CHINTAPATLA HANMANTH RAO [1511-1-2014-5037]	

Identified by Witness:

S.No	Thumb Impression	Photo	Name & Address	Signature
1			M BALA RAJU H NO 51-29/1 KUKATPALLY HYD	
2			M SRINIVASA RAO H NO 1-35/2 KUKATPALLY HYD	

Joint Sub Registrar  
 Kukatpally  
 Sheet 1 of 5  
 BH - 1, CS No 5037/2014 & Doct No  
 4840/2014

23rd day of August, 2014

Signature of Joint Sub Registrar  
 Kukatpally



WHEREAS, the Executant and SRI. CHINTAPATLA PADMA RAO herein are the sole, absolute owners and peaceful possessors of the land in Survey No. 183 an extent of Ac. 12-29 Gts, Survey No. 184 an extent of Ac. 16-15 Gts, Survey No. 186 an extent of Ac. 17-07 Gts, Survey No. 187 an extent of Ac. 15-05 Gts, Survey No. 188 an extent of Ac. 10-18 Gts, Survey No. 189 an extent of Ac. 13-24 Gts, Survey No. 190 an extent of Ac. 19-04 Gts, Total extent Ac. 104-22 Gts, Situated at Moosapet Village, GHMC Kukatpally Circle, Balanagar Mandal, Ranga Reddy District having purchased the same vide Registered Sale Deed Document No. 1225 of 1968 of Book-1, Volume 68, Pages 268 to 301, dated 04-09-1968, Regd. at S.R.O. Hyderabad West.

Whereas subsequently the then Govt. of A.P has acquired admeasuring Ac. 45-01 gts out of Ac. 104-22 gts for the purpose of Circulation Tank called "Parikicheruvu" and the remaining area is only Ac. 59-21 gts and the given extent of land is not yet partitioned in between the executant and Legal heirs of CH. Padma Rao.

THAT, due to various avocations and Pre-occupations the Executant is not able to supervise and manage the said Property and the Executant hereby appointed the above named "ATTORNEY" in respect of part of land of Executant's share i.e., an extent of Ac. 29-30 1/2 Guntas out of Ac. 59-21 Guntas, in Survey Nos. 183, 184, 186, 187, 188, 189 and 190, Situated at Moosapet Village, GHMC Kukatpally Circle, Balanagar Mandal, Ranga Reddy District (hereinafter morefully described in the Schedule).

THE Attorney hereby authorised to sell the part of the Property i.e., part of land i.e., an extent of Ac. 29-30 1/2 Guntas out of Ac. 59-21 Guntas, in Survey Nos. 183, 184, 186, 187, 188, 189 and 190, Situated at Moosapet Village, GHMC Kukatpally Circle, Balanagar Mandal, Ranga Reddy District on behalf of Executant to any other Person whomsoever or Attorney execute the deeds and register the same on behalf of Executant.

To sign and execute all documents i.e., Sale Deed or Sale Deeds, Agreement of Sale, Gift Settlement Deed, Mortgage Deed, or any other deeds for Executant and in Executant's name and to Present the same for registration before registrar or sub-registrar offices and thereto admit execution etc., and do all necessary acts in such connection.

To appoint advocates, fix and Pay remuneration, to file and defend suits, sign and verify pleadings, petitions, representations before the concerned departments, to settle and compromise all or any matter in regard to the said Property on behalf of Executant.

*Ch. Hew...dl*

Contd...3.

29  
30 1/2  
30 1/2

**Endorsement:**

Description of Fee/Duty	Stamp Papers	In the Form of			Total
		Challan w/s 41 of IS Act)	Cash	Stamp Duty/ w/s 16 of IS act.	
Stamp Duty	100	0	0	900	1000
Transfer Duty	NA	0	0	0	0
Reg. Fee	NA	0	0	20000	20000
User Charges	NA	0	0	100	100
<b>Total</b>	<b>100</b>	<b>0</b>	<b>0</b>	<b>21000</b>	<b>21100</b>

Rs. 900/- towards Stamp Duty including T.D. under Section 41 of I.S. Act, 1899 and Rs. 20000/- towards Registration Fees on the chargeable value of Rs. 0/- was paid by the party through DD No. 642208 dated 23-AUG-14 of ING VYSYA BANK LTD/KUKATPALLY

Date

23rd day of August, 2014

Signature of Registering Officer  
Kukatpally

**Certificate of Registration**

Registered as document no. 4840 of 2014 of Book-1 and assigned the identification number 1 - 1511 - 4840 - 2014 for Scanning on 23-AUG-14.

Registering Officer  
Kukatpally  
(R Sreenivas Rao)

Ek - 1, CS No 5037/2014 & Docl No 4840/2014. Sheet 2 of 5  
 Joint Sub Registrar  
 Kukatpally



Generally for Executant and in Executant's name as per Executant act and deed do all acts, deeds matters and things are required fully to give effect to these presents according to true meaning and intend on behalf of Executant.

To receive the sale consideration amounts and issue Proper receipts on behalf of Executant and to execute Agreement of Sale and Sale Deed or Sale Deeds in favour of Purchaser or Purchasers.

To handover possession of the said property to the purchaser or purchasers.

The Executant hereby agrees to confirm and ratify all such acts, deeds or proceedings that would be done by the Attorney on his behalf by virtue of this Deed of General Power of Attorney and the same shall be binding on the Executant.

This Power has been given without any consideration.

#### SCHEDULE OF THE PROPERTY

All that the part of land i.e., an extent of Ac.29-30½ Guntas (out of Ac.59-21 Guntas), in Survey Nos.183, 184, 186, 187, 188, 189 and 190. Situated at Moosapet Village, GHMC Kukatpally Circle, Balanagar Mandal, Ranga Reddy District, and bounded by:

NORTH	::	Shiridi Hills Colony
SOUTH	::	Tulasi Nagar
EAST	::	Rajeev Gruha Kalpa
WEST	::	100' ft Wide Road

IN WITNESS WHEREOF, the Executant hereby signed on this General Power of Attorney with free will and consent on this the 23rd day of August 2014, at SRO KUKATPALLY.

WITNESSES:

1. M. Balakrishna
2. C. H. Srinivas Reddy

Ch. Hanumanth Reddy  
EXECUTANT

[Signature]





MEMORANDUM OF INTEIRM APPLICATION  
(UNDER SEC. 151 OF THE C.R.C.)  
HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

I.A.NO.

OF 2021

IN

W.P. NO.

28313

OF 2021

Between:

1. Chinthapatla Hanumantha Rao S/o.Ch.Venkajah  
Aged about 82 years, occ: Business, R/o:  
H.No.5-3-113, Kukatpally village & mandal  
Medchal Malkajgiri district represented by GPA Holder  
Ch.Anil Kumar S/o.Ch.Hanumantha Rao, aged about  
54 years, occ: Business, Villa No.37, Devi STana  
Venkatrao Nagar, Kukatpally, Hyderabad.
2. Chinthapatla Jamuna W/o.late Chinthapatla Padma Rao  
Aged about 65 years, occ: Household,  
R/o.H.No.Villa No.48, Devi STana Venkatrao Nagar,  
Kukatpally village & mandal  
Medchal Malkajgiri district.

..Petitioners

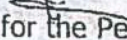
AND

- 1.The State of Telangana,  
Rep. by its Principal Secretary,  
Municipal Administration & Urban Development  
Department, Secretariat,  
Hyderabad.
- 2.The District Collector,  
Medchal Malkajgiri district.  
At Keesara
3. The Revenue Divisional Officer  
Malkajgiri division  
Medchal Malkajgiri district.
4. The Tahsildar,  
Kukatpally mandal  
Medchal Malkajgiri district.
5. The Hyderabad Metropolitan Water Supplies &  
Sewerage Board, Hyderabad, rep. by its  
Vice-Chairman and Managing Director  
Khairathabad, Hyderabad.
6. The Mega Engineering and Infrastructures Pvt. Ltd.,  
S-2 Balanagar, Techno Crates Industrial Estates,  
Andhra Bank Road, Hyderabad, represented by its  
Managing Director.

...Respondents.

For the reasons stated in the affidavit filed in support of the above Writ Petition it is hereby prayed that this Hon'ble Court may be pleased to direct the respondents not to construct STP plant in the lands of the petitioner i.e., in Sy.No. 190/1, to an extent of Ac.5.00 gts, which is covered by basement with wooden gate, situated at Moosapet village, Kukatpally mandal, Medchal Malkajgiri district, pending disposal of the above writ petition and pass such other order or orders may deem fit and proper in the circumstances of the case.

HYDERABAD  
DATE: 30.10.2021

  
Counsel for the Petitioners

IN THE HIGH COURT FOR THE STATE OF TELANGANA  
AT HYDERABAD

W.P.No. 28313 of 2021

Between:

Chinthapatla Hanumantha Rao & another ..Petitioners

AND

State of Telangana & others ..Respondents

RUNNING INDEX

S.No.	Description	Date of Document	Date of Filing	Page No.
1.	Vacate Stay Petition & Counter Affidavit filed By the respondent No.5	23.2.2022	26.2.2022	1 - 12
Material Papers				
2.	Proceedings issued by the District Collector, Medchal-Malkajgiri District	21.9.2021	--do--	13 -14
3.	Interim order passed in I.A. 1/21 in W.P. 28313/21	16-11-21	--do--	15-16

Hyderabad,

Date: 26.4.2022.

Counsel for the Respondent No.5

T.SUDHAKAR REDDY (12127)  
Advocate  
Standing Counsel for HMWS&SB

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

W.P. No. 28313 of 2021

Between:

Chinthapatla Hanumantha Rao,  
S/o Ch. Venkaiah, Aged about 82 years,  
Occ: Business, R/o. H.No.5-3-113,  
Kukatpally village and mandal, Medchal Malkajgiri district  
represented by GPA Holder Ch. Anil Kumar,  
S/o Ch. Hanumantha Rao, aged about 54 years,  
Occ: Business, Villa No. 37,  
Devi Stana Venkatrao Nagar,  
Kukatpally, Hyderabad and Another.

...Petitioners

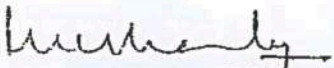
AND

The State of Telangana,  
Rep. by its Principal Secretary,  
Municipal Administration and Urban Development Department,  
Secretariat, Hyderabad and 5 Others.


..Respondents


COUNTER AFFIDAVIT FILED BY THE RESPONDENT No. 5

I, H. Thippanna, son of Sri Narsappa, aged 54 years, Resident  
of Hyderabad, Occupation: Government Service, working as the  
General Manager(Engg.), Project Division.IV, Goshamahal,  
Hyderabad, Hyderabad Metropolitan Water Supply and Sewerage

  
Senior Officer P&A  
HMWS & SB, Khairatabad,  
Hyderabad.

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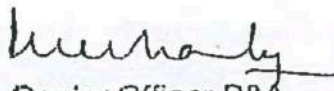
  
General Manager (Engg.)  
Project Division No. IV,  
M.M.W.S. & S. Board,

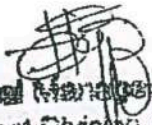


Board (HMWSSB), Hyderabad, State of Telangana, do hereby sincerely state on oath as follows:-

1. I submit that I am the deponent herein and I am working as the General Manager(Engg.), Project Division.IV, Goshamahal, Hyderabad , Hyderabad Metropolitan Water Supply and Sewerage Board, and as such I am well acquainted with the facts of the case as also I am authorized and competent to file this Counter Affidavit on behalf of Respondent No.5.

2. I humbly submit that in the year 1989, the then Legislature of the State of Andhra Pradesh made an enactment called the Hyderabad Metropolitan Water Supply and Sewerage Act, 1989 (Act 15 of 1989) and came into force from 1.11.1989. Under Section-3 of the Act, the Board by the name Hyderabad Metropolitan Water Supply and Sewerage Board (HMWSSB/Board) was constituted. The Board's main duties are that (a) supply of potable water, including, planning, design, construction, maintenance, operation and management of water supply system; and (b) sewage disposal and sewage treatment works including planning, design, construction, maintenance, operation and management of all sewerage and sewage treatment

  
Senior Officer P&A  
HMWS & SB, Khairatabad,  
Hyderabad.

  
General Manager (Engg.)  
Project Division IV  
H.M.W.S. & S.B.  
Goshamahal - Hyderabad

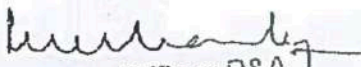
3


works in and around the twin cities of Hyderabad and Secunderabad and surrounding Municipalities and upto ORR. The Board has also been implementing several Schemes in its jurisdiction meant for all categories of people, viz, generally poor, below poverty line, slum dwellers, cluster hutments, public taps, etc., and also undertaken several developmental Schemes, laying of new pipelines, etc., keeping in view the future demand of the twin cities and surrounding municipalities and upto ORR.

3. The Hon'ble High Court has passed the following Interim Order:-

*"Written instructions dated 12.11.2021 on behalf of respondent No.5 is placed on record. However, a perusal of the said written instructions would indicate that, while the respondents claim that they are proceeding with the construction of sewerage plant in Sy.No.336 only, but the same does not address the contention of the petitioner that the said Sy.No.336 is situated on the south west of the tank, while Sy. No.190 of the petitioner is on the south east of the tank and more so the said Sy. No.336 where the respondents claim to be constructing the sewerage plant is behind the Sy.No.183 and near the bund of the tank. Thus, the written instructions do not provide any clarity as to the claim being made by the respondents.*

*In view of the above, pending further order, there shall be interim direction not to undertake any construction of STP in the lands of the petitioner in Sy.Nos.189/1, 190/1 of Moosapet village, Kukatpally Mandal, Medchal Malkajgiri District. "*

  
Senior Officer P&A  
HMWS & SB, Khairatabad  
Hyderabad.

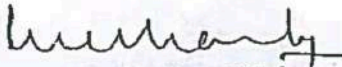
  
General Manager (Engg.)  
Project Division No. IV,  
H.M.W.S. & S. Board,  
Gachibowli, Hyderabad-12.


(4)

In compliance of the above Order, it is submitted that the Sy.Nos. mentioned in the above order as Sy.No.189/1 and Sy.No. 190/1 of Moosapet Village, Medchal Malkajgiri District. Hence, the Respondent No.5 has not encroached into the Petitioner's land at all.

4. In reply to Para - 1, needs no reply.

5. In reply to Para - 2, it is submitted that the Collector, Medchal-Malkajgiri District vide Proc.No.LC/2067/2021, dated 21-09-2021 has accorded permission to the MD, HMWSSB to utilize the Gov. land in (i) Sy.No.336/P to an extent of Acs.3-33 gts. and to extent of Acs.1-07 gts. in Sy.Nos.183/2/P and part of the land in Sy.No. 190/2/P aggregating Ac.5.00 gts., Pariki Cheruvu Shikam situated at Moosapet Village, Kukatpally Mandal for construction of 28 MLD capacity Sewerage Treatment Plant and Ancillary units etc., and also directed the Tahsildar, Kukatpally Mandal to hand over the land to the Respondent No.5. Accordingly, the possession of the land was handed over vide Panchanama dated 28-10-2021 and the HMWSSB has taken up the leveling of site for construction of Sewerage Treatment Plant. The Respondent No.5 herein have utilized the land allotted by the Collector, Medchal-Malkajgiri District only. Further, as per Pahani for

  
Senior Officer P&A  
HMWS & SB, Khairatabad,  
Hyderabad.

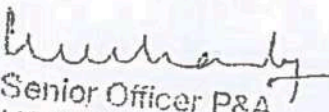
  
General Manager (Engr.)  
Project Division No. IV,  
H.M.W.S. & S. Board,  
Gothamahal, Hyderabad-13.

5


the year 2015-16, the land in Sy. No. 336/P is recorded as Gairan Sarkari. The Collector, Medchal-Malkajgiri District has discussed in the orders issued that the land in Sy.No.336/P is recorded as Gairan Sarkari and Sy.No.183/2/P & Sy.No.190/2/P are recorded as Paraki Cheruvu Shikam. Accordingly, orders are issued with due procedure for handing over advance possession of the land. The Respondent No.5 have not entered into the land of the Petitioner in Sy.No.189/1 and Sy.No.190/1. The Petitioner has claimed Gairan Sarkari (Government) in Sy. No.336/P and Paraki Cheruvu Shikam in Sy Nos. 183/2/P & 190/2/P with a malafide intention to grab the Government land and filed present Writ Petition.

6. In reply to Para - 3 & 3(a), it is submitted that the Respondent No.5 has not interfered in any of the Sy.Nos. mentioned herein and as stated to belong to the Petitioner is a wrong notion.

7. In reply to Para - 4, it is submitted that the Petitioner's stand of claiming land in particular Sy.Nos. namely Sy.No.189/1 & Sy.No.190/1 is very divergent and there is no consistency of his claim made in the paragraph and table shown at Para-3 above, while the Petitioner has changed the Sy. Nos. in the Paragraph No.4.

  
Senior Officer P&A  
HMWS & SB, Khairatabad,  
Hyderabad.

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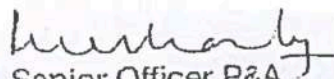
  
General Manager (Engg.)  
Prob. Division No IV,  
H. & S. Board,  
Gosnell Road, Hyderabad-12.


(6)

It is submitted that the Respondent No. 5 has not interfered with the land of the Petitioner in Sy.No.189/1 & Sy.No.190/1. However, the land in Sy.Nos.336/P, 183/2/P, 190/2/P aggregating Ac. 5.00 only acquired by HMWSSB, as per the allotments made by the Revenue authorities.

8. In reply to Para – 5 to 7, needs no reply.

9. In reply to Para – 8 & 9, it is submitted that it is a fact that the Collector, Medchal-Malkajgiri District vide Proc. No.LC/2067/2021, dated 21-09-2021 in pursuant to requisition filed by the HMWSSB has accorded permission to the MD, HMWSSB to utilize the Govt. land in Sy.No.336/P to an extent of Acs.3-33 gts., and to extent of Acs. 1-07 gts. in Sy.Nos.183/2/P & 190/2/P Pariki Cheruvu Shikam situated at Moosapet Village, Kukatpally Mandal for construction of 28 MLD capacity Sewerage Treatment Plant and ancillary units etc. and also directed the Tahsildar, Kukatpally Mandal to hand over the land. Accordingly, the land in Sy.No. 336/P to an extent of Acs.3-33 gts. and to extent of Acs.1-07 gts. in Sy.Nos.183/2/P & 190/2/P situated at Moosapet Village, Kukatpally Mandal has been handed over vide

  
Senior Officer P&A  
HMWS & SB, Khairatabad,  
Hyderabad.

  
General Manager (Engg)  
Project Division No. 14  
H.M.W.S.S.B. Limited  
Gochanapally, Hyderabad.

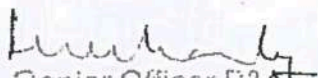
(7)


Panchanama dated 28-10-2021 and the HMWSSB has taken up the leveling of site for construction of Sewerage Treatment Plant.

In reply to Para No.9, it is submitted that the MRI O/o the Tahsildar, Kukatpally Mandal has handed over the land in Sy.No.336/P to an extent of Acs.3-33 gts. and to extent of Acs.1-07 gts. in Sy.Nos.183/2/P & 190/2/P situated at Moosapet Village Kukatpally Mandal vide Panchanama dated 28-10-2021. The Surveyor, O/o the Tahsildar, Kukatpally Mandal has demarcated the land and provided the Sub Division sketch for the land in Sy.No.336/P to an extent of Acs.3-33 gts. and extent of Acs.1-07 gts. in Sy. Nos.183/2/P & 190/2/P situated at Moosapet Village Kukatpally Mandal. The allegations of the Petitioner that the Tahsildar, Kukatpally Mandal has entered into the land of the Petitioners to an extent of Acs.5-00 in Sy.No.190/1 is baseless and false.

It is submitted that the Petitioner has mentioned the Decree dated 26-10-2018 in O.S.No.618 of 2007 is not known to the Respondent No.5 nor Respondent No.5 is a party in the Decree.

10. In reply to Para - 10, it is submitted that the Collector, Medchal-Malkajgiri District has issued orders vide

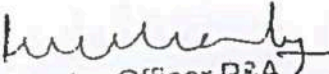
  
Senior Officer P&AT  
HMWS & SB, Khairatabad,  
Hyderabad.

  
General Manager (Engg)  
Project Division No. IV  
H.M.W.S. & S. Board,  
Medchal-Malkajgiri District


(8)

Proc.No.LC/2067/2021, dated 21-09-2021 in pursuant to requisition filed by the HMWSSB, accorded permission to the MD, HMWSSB to utilize the Govt. land in Sy.No.336/P to an extent of Acs.3-33 gts. and to extent of Acs.1-07 gts. in Sy.Nos.183/2/P & 190/2/P situated at Moosapet Village, Kukatpally Mandal for construction of 28 MLD capacity Sewerage Treatment Plant and ancillary units etc. The allegations of the Petitioner that the Tahasildar, Kukatpally Mandal without any proper verification of the boundaries of the lands of the Petitioner was wrongly allotted to the HMWSSB is far from the truth. The Petitioner herein with an ill-motive to grab the land of the Government has filed the present Writ Petition. The Collector, Medchal-Malkajgiri District has followed the due procedure in allotment of land. Therefore the allegations of the Petitioner that the Respondent No.5 has interfered in the land of the Petitioners in Sy.No.189 /1and Sy.No.190/1 is baseless and false.

It is submitted that the allegations made by the Petitioner that no land is available in Sy.No.190/2 & Sy.No.336/P is false. Further, his contention that any of the Sy.No. mentioned therein including land in Sy.No.336/P was not shown as boundary is also a false allegation

  
Senior Officer P&A  
HMWS & SB, Khairatabad,  
Hyderabad.

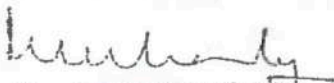
- 101


  
General Manager (Engg.)  
Project Division No. IV  
H.M.S. & S. Board,  
Cooper Road, Hyderabad-500 016.

9

being made by the Petitioner. Further, it is reiterated here by the Respondent No.5 that the land in Sy.Nos. 336/P, 183/2/P, 190/2/P aggregating Ac.5.00 were only allotted to Respondent No.5 by the Revenue authorities after conducting due Survey and the allotment, thus made by the Revenue authorities is the basis for our possession of the said land and accordingly the construction of STP has been undertaken for the purpose of public interest. The allegation of the Petitioner herein, the Tahasildar was made allotment without proper fixation of the boundaries under wrong allotment etc. is a false allegation and the same is refuted.

The Respondent No. 5 herein is utilizing the land and taken up the leveling of site for construction of Sewerage Treatment Plant allotted by the Collector, Medchal-Malkajgiri District in Sy.No.336/P to an extent of Acs.3-33 gts, and to extent of Acs.1-07 gts. in Sy.Nos.183/2/P & 190/2/P only situated at Kukatpally Mandal. The Petitioner with a malafide intention to grab the Respondents land, has filed the present Writ Petition. Hence the Writ Petition is liable to be dismissed.

  
Senior Officer P&A  
HMWS & SB, Khairatabad,  
Hyderabad.

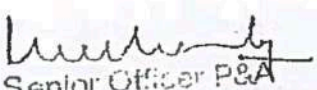
  
General Manager (Eng)  
Project Division No. IV  
M.M.V.S. & S Board,  
Medchal, Hyderabad-12.

(10)


11. In reply to Para - 11 & 12, it is submitted that the Petitioner is not entitled for any relief as he has been making false allegations without any proof.

12. In reply to Para - 13, It is submitted that may kindly see the reply in the foregoing paragraphs.

13. In reply to Para - 14, It is submitted that in reply to Para No.13, the Petitioner himself is confusing the Hon'ble High Court by taking divergent views by mentioning Sy.No.190 that belongs to him vide Paragraph-3 in the tabular form, while he is also claiming the Sy.No. 190/1 in the Para-14 and Para-9. The motive of the Petitioner is very clear that he has malafide intention to mislead the Hon'ble High Court. Further, it is submitted that the Petitioner with a malafide intention to grab the Government land in Sy.No.336/P to an extent of Acs.3-33 gts. and to an extent of Acs.1-07 gts. in Sy.Nos.183/2/P & 190/2/P situated at Moosapet Village Kukatpally Mandal has filed the present Writ Petition. The Collector, Medchal-Malkajgiri District has accorded permission to utilize the land in Sy.No.336/P to an extent of Acs.3-33 gts. and to an extent of Acs.1-07 gts. in Sy.Nos.183/2/P & 190/2/P situated at Moosapet Village, Kukatpally Mandal to the

  
Senior Officer P&A  
HMWS & SB, Khairatabad,  
Hyderabad.

Genda  
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Engr  
Abdo IV,  
Board,  
Hyderabad-12.

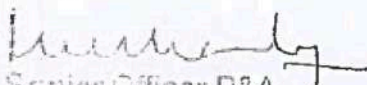
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Managing Director, Hyderabad Metropolitan Water Supply and Sewerage Board with due procedure. The allegations of the Petitioner are baseless and false. Therefore, the Writ Petition is liable to be dismissed.


14. It is further submit that the contractor i.e., Respondent No.6 stopped the work, in view of the interim orders passed by this Hon'ble Court, that STP work is undertaken by the Respondent No.5 for public purpose and also prevent for polluting lake water. There is an urgency for completing the construction of STP, therefore the interim orders granted by this Hon'ble Court dated 16.11.2021 may be vacated and dismiss the writ petition.

15. It is prayed that this Hon'ble Court may be pleased to vacate the interim orders passed on 16.11.2021 in W.P.No. 28313 and pass such other and further order or orders deemed fit and proper in the circumstances of the case.

In view of the submissions made above, it is prayed that this Hon'ble Court may be pleased to vacate the interim orders passed by this Hon'ble Court dated 16.11.2021 granted in IA No.1 of 2021 in Writ Petition No.28313 of 2021 and dismiss the Writ Petition No.


  
Senior Officer P&A  
MWS & SB, Khairatabad,  
Hyderabad

-104-

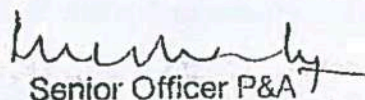
  
General Manager (Enrg.)  
Project Division No. IV  
MWS & S. Board.

12

28313 of 2021 and pass such order or further orders as this Hon'ble Court may deem fit and proper, in the interest of justice.


  
General Manager (Engg.)  
Project Division IV  
H.M.W.S. & S. Board  
Goshamahal, Hyderabad-42


Sworn and signed before me on this the 23<sup>rd</sup> day of April, 2022 at Hyderabad.

  
Senior Officer P&A  
HMWS & SB, Khairatabad,  
Hyderabad.

VERIFICATION

I, H.Thippanna, General Manager(Engg.), Project Division.IV, Goshamahal, Hyderabad, Hyderabad Metropolitan Water Supply and Sewerage Board, do hereby verify and declare that the contents of the above Affidavit are true to the best of my knowledge, information, as per official records, legal advice and believe the same to be true, hence verified on this the 23<sup>rd</sup> day of April, 2022 at Hyderabad.

  
Counsel for the Respondent No.5

  
General Manager (Engg.)  
Project Division IV  
H.M.W.S. & S. Board  
Goshamahal, Hyderabad-42

13

(5)

PROCEEDINGS OF THE COLLECTOR, MEDCHAL MALKAJGIRI DISTRICT  
PRESENT: Dr. S.HARISH, IAS.

Dated.21.09.2021

Proc.No.LC/2067/2021

Sub: Land Alienation - Medchal-Malkajgiri District - Malkajgiri Division  
Kukatpally Mandal - Kukatpally Village - Sy.No.336/p - Extent Ac.3-33  
gts and - An extent of Ac.1-07 gts in Sy.Nos.183/2/p & 190/2/p -  
Allotment of land for Construction of STP - Advance Possession - Orders  
Issued - Reg

Ref: 1.Spl. CS to Govt., MA&UD [PLG.1(2)] Dept., Memo No.11456/Plg.1(2)/2021,  
Dated.30.08.2021  
2. Tahsildar, Kukatpally Mandal, Lr.No.B/1299/2021, dated.06.09.2021,  
3. Govt. Memo No.20764/ Assn.1 (1)/2013, dated.06.11.2013.  
&&&

ORDER:

Through the reference 1<sup>st</sup> cited, the Special Chief Secretary to Govt., MA&UD [PLG.1(2)] Department has informed that, the MD, HMWS&SB has submitted proposals in prescribed proforma along with Annexure-XI for alienation of Govt. land to an extent of Ac.6.32 gts in Sy.No.336 situated at Kukatpally Village, Kukatpally Mandal, Medchal Malkajgiri District in favour of HMWS&SB, Hyderabad for construction of 28 MLD capacity Sewerage Treatment Plants and ancillary units etc and requested to take necessary action as per G.Os.No.571 and to hand over advance possession of the above proposed Govt. land to MD, HMWS&SB, Hyderabad.

In this regard, vide reference 2<sup>nd</sup> cited, the Tahsildar, Kukatpally Mandal has reported that according to the survey conducted, the Government land to an extent of Ac.3-33 gts in Sy.No.336/p of Kukatpally Village and the shikam land to an extent of Ac.1-07 gts in Sy.Nos.183/2/p & 190/2/p of Moosapet Village are found vacant on ground.

Further reported that as per 2015-16 pahani of Kukatpally Village, Sy.No.336 extent Ac.226-29 gts is recorded as Gairan Sarkari, as per 2015-16 pahani of Moosapet Village, Sy.No. 183/2 extent Ac.10-20 gts is recorded as Pariki Cheruvu Shikam and Sy.No.190/2 extent Ac.7-18 gts is recorded as Pariki Cheruvu Shikam. Further, the land to an extent of Ac.3-33 gts in Sy.No.336/p of Kukatpally Village and extent of Ac.1-07 gts in Sy.Nos.183/2/p & 190/2/p of Moosapet Village may be proposed for construction of Sewerage Treatment Plant and ancillary units.

Vide reference 3<sup>rd</sup> cited, the Government has accorded permission to the District Collector for advance possession of Govt. land in case of transfer of Govt. land, i.e., one Govt. Department to another Govt. Department (under BSO-23) subject to furnishing regular alienation / transfer of land proposals in full-shape after following the due procedure as requested in terms of G.Os.No.571 read with G.Os.No.61 to the Land Management Authority.

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Therefore in view of the above, permission is hereby accorded to the MD, HMWS&SB, Hyderabad to utilize the Govt. Land in Sy.No.336/p to an extent of 3-33 Gts and to an extent of Ac.1-07 gts in Sy.Nos.183/2/p & 190/2/p situated at Moosapet Village, Kukatpally Mandal for Construction of 28 MLD capacity Sewerage Treatment Plants and ancillary units etc. with the following conditions:

1. To fence the land and to use only for the purpose of STP.
2. The title of the land is vested with the Government.
3. The Government may take over the land as on when the land required for other public purpose.
4. If the land is not utilized, for the above purpose within (3) months the same will be taken back without any notice.

The Tahsildar, Kukatpally Mandal is hereby directed to handover the land in Sy.No.336/p to an extent of 3-33 Gts and to an extent of Ac.1-07 gts in Sy.Nos.183/2/p & 190/2/p situated at Moosapet Village, Kukatpally Mandal to the MD, HMWS&SB, Hyderabad for Construction of 28 MLD capacity Sewerage Treatment Plants and ancillary units etc duly demarcate on ground and clearly showing the boundaries under cover panchanama and to submit regular alienation proposals in full shape.

Sd/-  
Collector & District Magistrate,  
Medchal Malkajgiri District.

// Attested //  
*[Signature]*  
Superintendent, Collectorate,  
Medchal Malkajgiri District.

To

The Tahsildar Kukatpally Mandal, Medchal Malkajgiri District, for compliance and furnish the regular alienation proposals and a copy of Panchanama

Copy to the Revenue Divisional officer, Malkajgiri Division for information.

Copy submitted to the Managing Director, Hyderabad Metropolitan Water Supply & Sewerage Board, Hyderabad for information.

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD  
TUESDAY, THE SIXTEENTH DAY OF NOVEMBER TWO THOUSAND AND TWENTY  
ONE

:PRESENT:  
THE HONOURABLE SRI JUSTICE T.VINOD KUMAR

IA No. 1 OF 2021

IN

WP NO: 28313 OF 2021

Between:

1. Chinthapatta Hanumantha Rao, S/o.Ch.Venkaiah occ. Business, R/o.H.No.5-3-113, Kukatpally village and mandal Medchal Malkajgiri district represented by GPA Holder Ch.Anil Kumar S/o.Ch.Hanumantha Rao, Occ. Business, Villa No.37, Devi Stana Venkatrao Nagar, Kukatpally, Hyderabad.
2. Chinthapatta Jamuna, W/o.late Chinthapatta Padma Rao.

Petitioners  
(Petitioners in WP-28313 OF 2021  
on the file of High Court)

AND

1. The State of Telangana, Rep. by its Principal Secretary, Municipal Administration and Urban Development Department, Secretariat, Hyderabad.
2. The District Collector, Medchal Malkajgiri district At Keesara
3. The Revenue Divisional Officer, Malkajgiri division Medchal Malkajgiri district.
4. The Tahsildar, Kukatpally mandal Medchal Malkajgiri district.
5. The Hyderabad Metropolitan Water Supplies and Sewerage Board, Hyderabad, rep. by its Vice-Chairman and Managing Director Khairathabad, Hyderabad.
6. The Mega Engineering and Infrastructures Pvt. Ltd, S-2 Balanagar, Techno Crates Industrial Estates, Andhra Bank Road, Hyderabad, represented by its Managing Director.

...Respondents  
(Respondents in-do-)

Counsel for the Petitioners : Sri A PRABHAKAR RAO  
Counsel for the Respondent No.1: GP FOR MCPL ADMN URBAN DEV  
Counsel for the Respondent Nos.2 to 4 : GP for Revenue  
Counsel for the Respondent No.5 : Sri T. Sudhakar Reddy

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 not to construct STP plant in the lands of the petitioner i.e., In Sy.No. 190/1, to an extent of Ac.5.00 gts, which is covered by basement with wooden gate, situated at Moosapet village, Kukatpally mandal, Medchal Malkajgiri district, pending disposal of WP No. 28313 of 2021, on the file of the High Court.

The court while directing issue of notice to the Respondents herein to show cause as to why this application should not be complied with, made the following.(The receipt of this order will be deemed to be the receipt of notice in the case).

ORDER:

Written instructions dated 12.11.2021 on behalf of respondent No.5 is placed on record. However, a perusal of the said written instructions would indicate that, while the respondents claim that they are proceeding with the construction of sewerage plant in Sy. No.336 only, but the same does not address the contention of the petitioner that the said Sy. No.336 is situated on the south west of the tank, while Sy. No.190 of the petitioner is on the south east of the tank and more so the said Sy. No.336 where the respondents claim to be constructing the sewerage plant is behind the Sy. No.183 and near the bund of the tank. Thus, the written instructions do not provide any clarity as to the claim being made by the respondents.

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In view of the above, pending further orders, there shall be interim direction not to undertake any construction of STP in the lands of the petitioner in Sy. Nos.189/1, 190/1 of Moosapet village, Kukatpally Mandal, Medchal Malkajgiri District.

//TRUE COPY//

SD/- I.NAGA LAKSHMI  
ASSISTANT REGISTRAR

M  
SECTION OFFICER

To,

1. The Principal Secretary, Municipal Administration and Urban Development Department, State of Telangana, Secretariat, Hyderabad.
2. The District Collector, Medchal Malkajgiri district. Al Keesara
3. The Revenue Divisional Officer, Malkajgiri division Medchal Malkajgiri district.
4. The Tahsildar, Kukatpally mandal Medchal Malkajgiri district.
5. The Vice-Chairman and Managing Director, Hyderabad Metropolitan Water Supplies and Sewerage Board, Hyderabad, Khairathabad, Hyderabad.
6. The Managing Director, Mega Engineering and Infrastructures Pvt. Ltd, S-2 Balanagar Techno Crates Industrial Estates, Andhra Bank Road, Hyderabad. (1 to 6 By RPAD)
7. One CC to SRI A PRABHAKAR RAO Advocate [OPUC]
8. Two CCs to GR-FOR MCPL ADMN & URBAN DEV, High Court at Hyderabad. [OUT]
9. Two CCs to GP FOR Revenue, High Court at Hyderabad. [OUT]
10. One spare copy

mvj

RANGA REDDY DISTRICT

IN THE HIGH COURT FOR THE  
STATE OF TELANGANA  
AT HYDERABAD

I.A.No. of 2022

In

W.P.NO. 28313 of 2022

VACATE STAY PETITION

Filed on: 25.4.2022

Filed by:

**T.SUDHAKAR REDDY (12127)**  
Advocate,  
Standing Counsel for HMWS&SB,  
1-9-312/B/A/1, Achyuthareddy Marg,  
Vidyanagar, Hyderabad-44.

Counsel for the Petitioner/  
Respondent No.5

40

J-sudhakar Reddy  
c/w - srinivas  
H: s... ..

Copy



RANGA REDDY : DISTRICT

HIGH COURT AT HYDERABAD

I.A.NO. OF 2021  
IN  
W.P. NO. OF 2021

Sri  
T. Sudhakar Reddy  
98490  
13991  
(Srinivas)  
Telangana

DIRECTION PETITION

Filed by:

M/s A.PRABHAKAR RAO (35),  
Counsel for Petitioners

8977330345

ANNEX - III  
Draft Country prepared.

03/01/2022.  
OSD(LPSL)

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

CONTEMPT CASE No. 97 OF 2022

IN

I.A.No. 1 of 2021


In

W.P.No. 28313 of 2021

RUNNING INDEX

Sl.No.	Description of the document	Date of document	Date of filing	Page No.
1.	Contempt case	03.01.2022	03.01.2022	1-9
2.	Copy of order in WP.NO.28313 OF 2021	16.11.2021	-do-	10-11
3.	Copy of Petition and affidavit in W.P.No.28313 of 2021		-do-	12-24
4.	Copy of the judgement and decree in O.S.No.618 of 2007	26.10.2018	-do-	25-41
5.	Copy of the Joint inspection report			42-45
6.	Copy of the Map			46
7.	Copy of the representations	23.11.2021	-do-	47-49
8.	Copies of photographs		-do-	50-51
9.	Vakalath	03.01.2022		52

DATE: 03.01.2022  
Hyderabad

  
Counsel for the Petitioner

127

1

**MEMORANDUM OF CONTEMPT OF CASE.  
(UNDER SEC. 10 TO 12 OF CONTEMPT OF COURTS ACT)  
HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD**

CONTEMPT CASE No. 97 OF 2022  
IN  
I.A.No. 1 of 2021  
In  
W.P.No. 28313 of 2021

Between:

1. Chinthapatla Hanumantha Rao S/o.Ch.Venkaiah  
Aged about 82 years, occ: Business, R/o.  
H.No.5-3-113, Kukatpally village & mandal  
Medchal Malkajgiri district represented by GPA Holder  
Ch.Anil Kumar S/o.Ch.Hanumantha Rao, aged about  
54 years, occ: Business, Villa No.37, Devi Stana  
Venkatrao Nagar, Kukatpally, Hyderabad.
2. Chinthapatla Jamuna W/o.late Chinthapatla Padma Rao  
Aged about 65 years, occ: Household,  
R/o.H.No.Villa No.48, Devi STana Venkatrao Nagar,  
Kukatpally village & mandal  
Medchal Malkajgiri district.

..Petitioners


AND

1. Sri.S.Harish, IAS  
The District Collector,  
Medchal Malkajgiri district.  
At Keesara
2. Sri.Mallaiah,  
The Revenue Divisional Officer  
Malkajgiri division  
Mechal Malkajgiri district.
3. Sri.R.Govardhan,  
The Tahsildar,  
Kukatpally mandal  
Medchal Malkajgiri district.
4. Sri.Dana Kishore,  
Vice-Chairman and Managing Director,  
The Hyderabad Metropolitan Water Supplies &  
Sewerage Board, Hyderabad,.

5. Sri.Srinivas Tilak  
Works Manager,  
The Mega Engineering and Infrastructures Pvt. Ltd.,  
S-2 Balanagar, Techno Crates Industrial Estates,  
Andhra Bank Road, Hyderabad, represented by its  
Managing Director.
6. G.Srikanth, S/o Narsaiah, aged 25 years,  
Occ: Manager (Engg), Sub-Division-II,  
Project Division-IV, HMWS&SB, Hyderabad. ...Respondents.

For the reasons stated in the accompanying affidavit it is prayed that this Hon'ble Court may be pleased to take contempt case on its file and issue notice to the respondents and punish them under the Contempt of Courts Act for deliberate and willful violation of the orders passed in I.A.No.1 of 2021 in WP.No.28313 of 2021 dated 16.11.2021 by His Lordship Justice Sri.T.Virod Kumar, and to pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Hyderabad  
Date: 03.01.2022

  
Counsel for Petitioners



3

**HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD**  
CONTEMPT CASE No. 97 OF 2022

IN

I.A.No. 1 of 2021

In

W.P.No. 28313 of 2021

Between:

1. Chinthapatla Hanumantha Rao S/o.Ch.Venkaiah  
Aged about 82 years, occ: Business, R/o.  
H.No.5-3-113, Kukatpally village & mandal  
Medchal Malkajgiri district represented by GPA Holder  
Ch.Anil Kumar S/o.Ch.Hanumantha Rao, aged about  
54 years, occ: Business, Villa No.37, Devi Stana  
Venkatrao Nagar, Kukatpally, Hyderabad.
2. Chinthapatla Jamuna W/o.late Chinthapatla Padma Rao  
Aged about 65 years, occ: Household,  
R/o.H.No.Villa.No.48, Devi STana Venkatrao Nagar,  
Kukatpally village & mandal  
Medchal Malkajgiri district.

..Petitioners

AND

1. Sri.S.Harish, IAS  
The District Collector,  
Medchal Malkajgiri district.  
At Keesara
2. Sri.Mallaiiah,  
The Revenue Divisional Officer  
37/18/37, 1<sup>st</sup> Cross Road,  
Verka Residency  
Vayupuri, Sainikpuri, Neredmet  
Secunderabad  
Telangana - 500 094
3. Sri.R.Govardhan,  
The Tahsildar,  
Kukatpally mandal  
Kukatpally Housing Board Colony,  
Medchal Malkajgiri district.
4. Sri.Dana Kishore,  
Vice-Chairman and Managing Director,  
The Hyderabad Metropolitan Water Supplies &  
Sewerage Board, Khairathabad,  
Hyderabad.

5. Sri.Srinivas Tilak  
Works Manager,  
The Mega Engineering and Infrastructures Pvt. Ltd.,  
S-2 Balanagar, Techno Crates Industrial Estates,  
Andhra Bank Road, Hyderabad, represented by its  
Managing Director.

6. G.Srikanth, S/o.Narsaiah, aged 25 years,  
Occ: Manager (Engg), Sub-Division-II,  
Project Division-IV, HMWS&SB,  
Khairathabad, Hyderabad.

...Respondents.

AEFIDAVIT

I, Ch.Anil Kumar S/o.Ch.Hanumantha Rao, aged about 54 years, occ:  
Business, Villa No.37, Devi Stana Group Housing, Venkatrao Nagar, Kukatpally,  
Hyderabad. do hereby solemnly and sincerely affirm and state as follows:

1. I submit that I am the G.P.A Holder and son of the 1<sup>st</sup> petitioner herein and as  
such I am well acquainted with the facts of the case and also I am authorized to file  
this affidavit on behalf of the 2<sup>nd</sup> petitioner herein.

2. I submit that the above writ petition is filed questioning action of the  
respondents in proposing to construct sewerage treatment plant in the land in Sy.No.  
190/1, to an extent of Ac.5.00 gts belongs to the petitioners by treating the above  
land as Government land in Sy.No.336/P admeasuring Ac.3.33 gts, situated at  
Kukatpally village and Ac.1.07 gts in Sy.No.183/2/P and Sy.No.190/2/P, situated at  
Moosapet village, Kukatpally mandal, Medchal Malkajgiri district, total extent of  
Ac.5.00 gts, adjacent to Pariki cheruvu, without following due process of law.

3. I submit that this Hon'ble Court after hearing the petitioner and the  
respondents herein was pleased to pass an interim order dated 16.11.2021 in  
I.A.No.1 of 2021 in W.P.No.28313 of 2021 whereby directing the respondents not



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to undertake any construction of STP in the land of the petitioner in Sy.No.189/1, 190/1 situated at Musapet village, Kukatpally mandal, Medchal-Malkajgiri district.

4. I submit that the copy of the order along with representation was served on the respondents 2 to 4. The copy of the order was sent from this Hon'ble Court was served on all the respondents including the 2<sup>nd</sup> respondent and 5<sup>th</sup> respondent. The respondents are aware of the orders passed by this Hon'ble Court directing them not to undertake any construction of STP in our lands in Sy.No.189/1, 190/1 of Musapet village.

5. I submit that on 23.11.2021 the employees of the 4<sup>th</sup> respondent and the Tahsildar and his staff visited our lands and made a marking for undertaking construction of Sewerage Treatment Plant. Our employee by name, Potlapalli Balakrishna S/o.late Sri. Chalamaiah obstructed them from entering into our land and marking the site for construction of Sewerage Treatment plant and also shown a copy of the order passed by this Hon'ble Court to the officials of the Sewerage board and the Revenue officials. One Sri. G.Srikanth S/o.Narsaiah, Manager (Engg) sub-division II, Project division-IV of Sewerage Board, Hyderabad and the Revenue Officials did not allow our employee to enter into our own land and threatened him with dire consequences. One Sri.G.Srikanth filed a report dated 23.11.2021 against our employee Potlapally Balakrishna S/o.late Chalamaiah alleging that my employee, Potlapally Balakrishna and another criminally trespassed into working place and threatened us to stop the work and obstructed the Government employee from discharging their legitimate functions. The police on receipt of the report registered a case in Crime No. 968 of 2021 under section 447, 353 IPC. The police threatened my employee with dire consequences if I again interfere with the construction of Sewerage treatment plant. The police issued notice under section 41-A of Cr.P.C. to Potlapally Balakrishna S/o.late Chalamaiah.

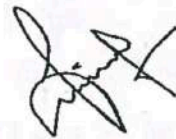
6. I submit that pursuant to the orders of the Hon'ble Lokayukta dated 28.11.2013 in Lr.Dis.No.3613/2012/B1/LOK/6243/2013 the Assistant Director of Survey and Land Records, Ranga Reddy district and the Revenue Officials

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such as The Revenue Divisional Officer, Malkajgiri division, The Revenue Divisional Officer, Rajendranagar and the Tahsildar, Qutubullapur mandal conducted spot inspection of Sy.No.183, 184, 186, 187, 188, 189 and 190 of Musapet village and surveyed the lands in afore said survey numbers with touch maps and village maps and fixed the boundaries and noticed the land in Survey No.348 of Qutubullapur village was shown as over lapping with the patta land of petitioners i.e., Sy.No.187 admeasuring Ac.0.22 gts, Sy.No. 188 admeasuring Ac.7.30 gts, Sy.No. 189 admeasuring Ac.2.10 gts and Sy.No. 190 admeasuring Ac.4.14gts, total to an extent of Ac.14.36 gts. The petitioner constructed a basement in accordance with the boundaries fixed by the survey and revenue officials. The boundaries are in existence to the knowledge of one and all including the revenue officials.

7. I submit that the respondents herein dug pits into my land and erected poles around the land about 5 acres in Sy.No.189/1, 190/1 of Musapet village on 10.12.2021 and a ribbon displaying the name of 5<sup>th</sup> respondent was put on the wooden poles erected by them. Our employees are not allowed to enter into our own land. There is a cattle shed adjacent to our land. Warning was given to our employees for removal of cattle shed. The copies of photographs showing erection of wooden poles, digging of pits in our land are filed herewith for perusal of the Hon'ble Court.

8. I submit that yesterday i.e., 29.12.2021 machinery of Hitachi make was brought to the site for the purpose of excavation. I submit that the respondents fully aware as per their own record that no land in Sy.No.336/P, 183/2/P and Sy.No.190/2/P exists at the site. The land in Sy.No.336/P is under occupation of various persons for the last several years. No vacant land in Sy.No.336/P is available adjacent to our lands. The land in Sy.No.183/2/P and the land in Sy.No.190/2/P is covered by water body. The respondents despite of having knowledge about non existence of Government land at the site, high handedly encroached into our land and started making construction of Sewerage Treatment Plant. Thus the action of the respondents in undertaking construction of



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sewerage treatment plant into our land which is a private patta land is in violation of the orders passed by this Hon'ble Court. The respondents deliberately and willfully entered into our land and commenced construction of sewerage treatment plant.

9. I submit that the respondents 1 to 4 are responsible Government officials. The 5<sup>th</sup> respondent is a renowned contractor in Telangana. They are bound by the orders passed by this Hon'ble Court. When our employee obstructed the respondents from proceeding with the construction activities he was booked in a criminal case in Crime No. 968 of 2021 under section 447, 353 IPC. The action of the respondents clearly displays that they have no respect to the orders passed by this Hon'ble Court and in deviation to the orders passed by this Hon'ble Court proceeding with construction of Sewerage treatment plant. The respondents have not filed any counter in the above writ petition. The respondents have committed an offence punishable under Contempt of Courts Act. Notice maybe issued to the respondents under Contempt of Courts Act and action according to law may be taken against them for deliberate, willful violation of the orders passed by this Hon'ble Court dated 16.11.2021 in I.A.No.1 of 2021 in W.P.No.28313 of 2021.

10. I submit that we filed O.S.No.618 of 2007 in the Court of the XIII Addl. District and Sessions Judge: Ranga Reddy district at L.B.Nagar, Hyderabad against the Government of Andhra Pradesh, rep. by the District Collector, R.R.District at Lakdikapul, Hyderabad, The Mandal Revenue Officer, Balanagar at KPHB, R.R.District, The Mandal Revenue Officer, Qutubullapur mandal at Qutubullapur, R.R.District and A.P.Housing Board, rep. by its Vice-Chairman and Managing Director, Gruha Kalpa, Hyderabad seeking relief of permanent injunction in respect of lands in Sy.No.183, 184, 186, 187, 188, 189 and 190 admeasuring Ac.104.22 gts situated at Musapet, Hyderabad west Taluk, Hyderabad. The Trial Court after full pledged trial decreed the suit in our favour. The land where the respondents are undertaking construction of sewerage treatment plant is belongs to us and the same is within their knowledge

as they are parties to the suit which decreed in our favour and also the orders passed by this Hon'ble Court. It is relevant to submit here that the Revenue Officials and Survey officials conducted joint survey in respect of the afore said lands and demarcated the boundaries. It is in the knowledge of the respondents that the work which is undertaken by the respondents is within the boundaries fixed by the Revenue officials and the officials of Survey Department, yet, the respondents high handedly proceeding with the construct of Sewerage treatment plant with deliberate and willful violation of the orders passed by this Hon'ble Court in I.A.No.1 of 2021 in W.P.No.28313 of 2021. In Dharani Portal land held by us clearly shown. I submit that the land in Sy.No.190/2 and the land in Sy.No.189/2 and the land in Sy.No.188/2 were acquired by the Government for Pariki Cheruvu and paid compensation in our favour. The remaining land in the above Sy.Nos.were assigned as survey Nos. 190/1 and the land in Sy.No.189/1 and the land in Sy.No.188/1. The Government land in Sy.No.336 is not located in between the land in Sy.No.190/2, and 190/1, 189/2 and 189/1 and 188/2 and 188/1. But the respondents high handedly proceeding with the construction in the lands in Sy.No.189/1, 190/1, belongs to us as is evident from the copy of the plan prepared by the Irrigation department showing the location and existence of afore said survey numbers. It is a clear case of contempt committed by the respondents. The respondents are required to be tried and punished under the Contempt of Courts Act in accordance with law.

11. In view of the above stated facts, it is prayed that this Hon'ble Court may be pleased to take contempt case on its file and issue notice to the respondents and punish them under the Contempt of Courts Act for deliberate and willful violation of the orders passed in I.A.No.1 of 2021 in WP.No.28313 of 2021 dated 16.11.2021 by His Lordship Justice Sri.T.Vinod Kumar, and to pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Solemnly and sincerely affirm this  
the 03<sup>rd</sup> day of January, 2022 and signed  
his name in my presence.

ADVOCATE : HYDERABAD

  
DEPONENT



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VERIFICATION STATEMENT

I, Ch.Anil Kumar S/o.Ch.Hanumantha Rao, aged about 54 years, occ: Business, Villa No.37, Devi Stana Group Housing, Venkatrao Nagar, Kukatpally, Hyderabad, being the petitioner/ person acquainted with the facts do hereby verify and state that the contents of the above paras of the Affidavit are true and correct to the best of my knowledge. Hence verified at on this the day of 03.01.2022.

  
ADVOCATE

  
DEPONENT

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD  
TUESDAY, THE SIXTEENTH DAY OF NOVEMBER TWO THOUSAND AND TWENTY  
ONE

:PRESENT:  
THE HONOURABLE SRI JUSTICE T.VINOD KUMAR

IA No. 1 OF 2021  
IN  
WP NO: 28313 OF 2021

Between:

1. Chinthapalla Hanumantha Rao, S/o.Ch.Venkaiah occ. Business, R/o.H.No.5-3-113, Kukatpally village and mandal Medchal Malkajgiri district represented by GPA Holder Ch.Anil Kumar S/o.Ch.Hanumantha Rao, Occ. Business, Villa No.37, Devi Stana Venkatrao Nagar, Kukatpally, Hyderabad.
2. Chinthapalla Jamuna, W/o.late Chinthapalla Padma Rao.

...Petitioners  
(Petitioners in WP 28313 OF 2021  
on the file of High Court)

AND

1. The State of Telangana, Rep. by its Principal Secretary, Municipal Administration and Urban Development Department, Secretariat, Hyderabad.
2. The District Collector, Medchal Malkajgiri district Al Keesara
3. The Revenue Divisional Officer, Malkajgiri division Medchal Malkajgiri district.
4. The Tahsildar, Kukatpally mandal Medchal Malkajgiri district.
5. The Hyderabad Metropolitan Water Supplies and Sewerage Board, Hyderabad, rep. by its Vice-Chairman and Managing Director Khairathabad, Hyderabad.
6. The Mega Engineering and Infrastructures Pvt. Ltd, S-2 Balanagar, Techno Crates Industrial Estates, Andhra Bank Road, Hyderabad, represented by its Managing Director.

...Respondents  
(Respondents in-do-)

Counsel for the Petitioners : Sri A PRABHAKAR RAO  
Counsel for the Respondent No.1: GP FOR MCPL ADMN URBAN DEV  
Counsel for the Respondent Nos.2 to 4 : GP for Revenue  
Counsel for the Respondent No.5 : Sri T. Sudhakar Reddy

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 not to construct STP plant in the lands of the petitioner i.e., in Sy.No. 190/1, to an extent of Ac.5.00 gts, which is covered by basement with wooden gate, situated at Moosapet village, Kukatpally mandal, Medchal Malkajgiri district, pending disposal of WP No. 28313 of 2021, on the file of the High Court.

The court while directing issue of notice to the Respondents herein to show cause as to why this application should not be complied with, made the following. (The receipt of this order will be deemed to be the receipt of notice in the case).

ORDER:

Written instructions dated 12.11.2021 on behalf of respondent No.5 is in record. However, a perusal of the said written instructions would show that, while the respondents claim that they are proceeding with the construction of sewerage plant in Sy. No.336 only, but the same does not address the contention of the petitioner that the said Sy. No.336 is situated on the south side of the tank, while Sy. No.190 of the petitioner is on the south east of the tank. Hence so the said Sy. No.336 where the respondents claim to be constructing sewerage plant is behind the Sy. No.183 and near the bund of the tank. Thus, the written instructions do not provide any clarity as to the claim being made by the respondents.

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In view of the above, pending further orders, there shall be interim direction not to undertake any construction of STP in the lands of the petitioner in Sy. Nos. 189/1, 190/1 of Moosapet village, Kukalpally Mandal, Medchal Malkajgiri District.

SD/- LNAGA LAKSHMI  
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Municipal Administration and Urban Development Department, State of Telangana, Secretariat, Hyderabad.
2. The District Collector, Medchal Malkajgiri district. At Keesara
3. The Revenue Divisional Officer, Malkajgiri division Medchal Malkajgiri district.
4. The Tahsildar, Kukalpally mandal Medchal Malkajgiri district.
5. The Vice-Chairman and Managing Director, Hyderabad Metropolitan Water Supplies and Sewerage Board, Hyderabad, Khairathabad, Hyderabad.
6. The Managing Director, Mega Engineering and Infrastructures Pvt. Ltd, S-2 Balanagar, Techno Crates Industrial Estates, Andhra Bank Road, Hyderabad. (1 to 6 By RPAD)
7. One CC to SRI A PRABHAKAR RAO Advocate [OPUC]
8. Two CCs to GP FOR MCPL ADMN & URBAN DEV, High Court at Hyderabad. [OUT]
9. Two CCs to GP FOR Revenue, High Court at Hyderabad. [OUT]
10. One spare copy

mvj

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MEMORANDUM OF WRIT PETITION  
(SPECIAL ORIGINAL JURISDICTION)  
(UNDER ART. 226 OF THE CONSTITUTION OF INDIA)  
HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD  
W.P. NO. 28313 OF 2021

Between:

1. Chinthapatla Hanumantha Rao S/o.Ch.Venkaiah  
Aged about 82 years, occ: Business, R/o.  
H.No.5-3-113, Kukatpally village & mandal  
Medchal Malkajgiri district represented by GPA Holder  
Ch.Anil Kumar S/o.Ch.Hanumantha Rao, aged about  
54 years, occ: Business, Villa No.37, Devi Stana  
Venkatrao Nagar, Kukatpally, Hyderabad.
2. Chinthapatla Jamuna W/o.late Chinthapatla Padma Rao  
Aged about 65 years, occ: Household,  
R/o.H.No.Villa No.48, Devi STana Venkatrao Nagar,  
Kukatpally village & mandal  
Medchal Malkajgiri district. ..Petitioners

AND

- 1.The State of Telangana,  
Rep. by its Principal Secretary,  
Municipal Administration & Urban Development  
Department, Secretariat,  
Hyderabad.
- 2.The District Collector,  
Medchal Malkajgiri district.  
At Keesara
3. The Revenue Divisional Officer  
Malkajgiri division  
Medchal Malkajgiri district.
4. The Tahsildar,  
Kukatpally mandal  
Medchal Malkajgiri district.
5. The Hyderabad Metropolitan Water Supplies &  
Sewerage Board, Hyderabad, rep. by its  
Vice-Chairman and Managing Director  
Khairathabad, Hyderabad.

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6. The Mega Engineering and Infrastructures Pvt. Ltd.,  
S-2 Balanagar, Techno Crates Industrial Estates,  
Andhra Bank Road, Hyderabad, represented by its  
Managing Director. ...Respondents.

The address for service on the above named Petitioners is that  
of their counsel Sri.A.Prabhakar Rao (35), Advocate, Plot No.252A,  
MLA's colony, Road No.12, Banjara Hills, Hyderabad – 38

For the reasons stated in the accompanying affidavit, it is hereby  
prayed that this Hon'ble Court may be pleased to issue a writ order or  
direction particularly one in the nature of Writ of Mandamus declaring  
action of the respondents in proposing to construct sewerage treatment  
plant in the land in Sy.No. 190/1, to an extent of Ac.5.00 gts  
surrounded by basement and a wooden gate, belongs to the petitioners  
situated adjacent to Pariki Cheruvu towards east, situated at Moosapet  
village, Kukatpally mandal, Medchal Malkajgiri district on the guise of  
treating the above land as Government land in Sy.No.336/P  
admeasuring Ac.3.33 gts, situated at Kukatpally village and Ac.1.07 gts  
in Sy.No.183/2/P and Sy.No.190/2/P, situated at Moosapet village,  
Kukatpally mandal, Medchal Malkajgiri district, total extent of Ac.5.00  
gts, without following due process of law, as illegal, arbitrary and  
consequently direct the respondents not to construct STP Plant in the  
land of the petitioners in the above survey numbers, and pass such  
other order or orders may deem fit and proper in the circumstances of  
the case.

HYDERABAD  
DATE: 30.10.2021

Counsel for the Petitioners

(4)

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

W.P.NO. 28313

OF 2021

Between:

1. Chinthapatla Hanumantha Rao S/o.Ch.Venkaiah  
Aged about 82 years, occ: Business, R/o.  
H.No.5-3-113, Kukatpally village & mandal  
Medchal Malkajgiri district represented by GPA Holder  
Ch.Anil Kumar S/o.Ch.Hanumantha Rao, aged about  
54 years, occ: Business, Villa No.37, Devi Stana  
Venkatrao Nagar, Kukatpally, Hyderabad.

2. Chinthapatla Jamuna W/o.late Chinthapalla Padma Rao  
Aged about 65 years, occ: Household,  
R/o.H.No.Villa No.48, Devi Stana Venkatrao Nagar,  
Kukatpally village & mandal  
Medchal Malkajgiri district.

..Petitioners

AND

1. The State of Telangana,  
Rep. by its Principal Secretary,  
Municipal Administration & Urban Development  
Department, Secretariat,  
Hyderabad.
2. The District Collector,  
Medchal Malkajgiri district.  
At Keesara
3. The Revenue Divisional Officer  
Malkajgiri division  
Mechal Malkajgiri district.
4. The Tahsildar,  
Kukatpally mandal  
Medchal Malkajgiri district.
5. The Hyderabad Metropolitan Water Supplies &  
Sewerage Board, Hyderabad, rep. by its  
Vice-Chairman and Managing Director  
Khairathabad, Hyderabad.
6. The Mega Engineering and Infrastructures Pvt. Ltd.,  
S-2 Balanagar, Techno Crates Industrial Estates,  
Andhra Bank Road, Hyderabad, represented by its  
Managing Director.

...Respondents.

15  
AFFIDAVIT

I, Ch.Anil Kumar S/o.Ch.Hanumantha Rao, aged about 54 years, occ: Business, Villa No.37, Devi Stana Group Housing, Venkatrao Nagar, Kukatpally, Hyderabad. do hereby solemnly and sincerely affirm and state as follows:

1. I submit that I am the G.P.A Holder and son of the 1<sup>st</sup> petitioner herein and as such I am well acquainted with the facts of the case and also I am authorized to file this affidavit on behalf of the 2<sup>nd</sup> petitioner herein.
2. I submit that the present writ petition is filed questioning action of the respondents in proposing to construct sewerage treatment plant in the land in Sy.No. 190/1, to an extent of Ac.5.00 gts belongs to the petitioners on the guise of treating the above land as Government land in Sy.No.336/P admeasuring Ac.3.33 gts, situated at Kukatpally village and Ac.1.07 gts in Sy.No.183/2/P and Sy.No.190/2/P, situated at Moosapet village, Kukatpally mandal, Medchal Malkajgiri district, total extent of Ac.5.00 gts, adjacent to Pariki cheruvu, without following due process of law, as the same is illegal, arbitrary. Brief facts which are necessary to appreciate the issues involved in this writ petition, are stated hereunder.
3. I submit that my father and the husband of the 2<sup>nd</sup> petitioner i.e., late Chinthapatla Padma Rao purchased the land in Sy.No.183 admeasuring Ac.12.29 gts, in Sy.No.184 admeasuring Ac.16.15 gts, Sy.No.186 admeasuring Ac.17.07 gts, Sy.No.187 admeasuring Ac.15.05 gts, Sy.No.188 admeasuring Ac.10.18 gts, Sy.No.189 Ac.13.24 gts, Sy.No.190 admeasuring Ac.19.04 gts total admeasuring Ac.104.22 gts under registered sale deed dated 02.09.1968 registered as document No.1225 of 1968 from Mir

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Fazalullah and others. Since then the petitioners are in possession and enjoyment of the afore said land.

4. I submit that the Government has acquired the lands of the petitioners in Sy.No.183, admeasuring Ac.10.20 gts out of Ac.12.19 gts, Sy.No.184 Ac.11.31 gts out of Ac.16.15 gts, Sy.No.186 admeasuring Ac.1.17 gts out of Ac.17.07 gts. In Sy.No,187 Ac.4.22 gts out of Ac.15.05 gts . In Sy.No.188 Ac.0.14gts out of Ac.10.18 gts, in Sy.No.189 Ac.8.39 gts out of Ac.13.24 gts, in Sy.No.190 Ac.7.18 gts out of Ac.19.04 gts, total admeasuring Ac.45.01 for pariki cheruvu and award was passed vide proceedings No.G/4270/LA/ 72 dated 31.03.1978 awarding a sum of Rs.17,988.97ps by the Special Deputy Collector, Land Acquisition General Hyderabad. The extent of land owned by the petitioners and the extent of the land acquired by the Land Acquisition Officer is clearly stated in the tabular form as under.

Survey No.	Total extent Ac.gts	Land Acquired Ac.gts	Balance left pattadar Ac.gts	land with
183	12-19	10-20	2-09	
184	16-15	11-31	4.24	
185	--	--	---	
186	17.07	1-17	15.30	
187	15-05	4-22	10.23	
188	10.18	0-14	10.04	
189	13.24	8.39	4.25	
190	19.04	7.18	11.26	
Total	104.22	45.01	59.21	

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5. I submit that the respondents built a tank bund to the Pariki cheruvu and also erected a fencing covering the entire land acquired under Land Acquisition Act. I submit that on an application submitted by the petitioners a team of survey officials consist of Inspector of Survey and Land Records, Ranga Reddy district and other officials visited the site and surveyed the land of the petitioners i.e., in Sy.No.183/1 admeasuring Ac.2.09 gts, Sy.No.184/1 admeasuring Ac.4.24 gts, Sy.No.186/1 admeasuring Ac.15.30 gts, Sy.No.187/1 Ac.10.23 gts, Sy.No.188/1 Ac.10.04 gts, Sy.No.189/1 Ac.4.25 gts, Sy.No.190/1 Ac.11.26 gts total admeasuring Ac.59.21 gts on 30.05.2002 and demarcated the boundaries under a panchanama vide file No.A3/920/2002 and prepared a map vide proceedings K3/1669/2002 and PC No.425 of 2002. The petitioners constructed basement and compound wall in accordance with the boundaries fixed by the Inspector of Survey & land records, Ranga Reddy District and other officials. The petitioners laid a layout on the land held by us and sold an extent of about 40 acres to various third parties and most of the purchasers constructed their houses. The petitioners constructed a basement in some extent and compound wall in other extents around the land in Sy.No.183/1 admeasuring Ac.2.09 gts, Sy.No.184/1 admeasuring Ac.4.24 gts, Sy.No.186/1 admeasuring Ac.15.30 gts, Sy.No.187/1 Ac.10.23 gts, Sy.No.188/1 Ac.10.04 gts, Sy.No.189/1 Ac.4.25 gts, Sy.No.190/1 Ac.11.26 gts total admeasuring Ac.59.21 gts. The land in Sy.No.183/1 admeasuring Ac.2.09 gts and 184/1 admeasuring Ac.4.24 gts were situated towards west side of the Pariki Cheruvu. Sy.No.186/1 admeasuring Ac.15.13 gts, Sy.No.187/1 admeasuring Ac.10.23 gts, Sy.No.188/1 admeasuring Ac.10.04 gts, 189/1 admeasuring Ac.4.25 gts and Sy.No.190/1 admeasuring Ac.11.26

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gts are situated towards eastern side of Pariki Cheruvu as is evident from the plan prepared by the officials of the Irrigation Department

6. I submit that the Mandal Revenue Officer, Balanagar mandal, Mandal Revenue Officer, Qutubullapur mandal came to the land belongs to the petitioners under a wrong premise that the said land is a Government land falling under Sy.No.348 of Gajula Ramaram village and proposed to construct houses under Rajiv Gruhakalpa Scheme through A.P.Housing Board for weaker sections. The petitioners filed O.S.No.618 of 2007 in the Court of the XIII Addl. District and Sessions Judge: Ranga Reddy district at L.B.Nagar by making the Govt. of Andhra Pradesh represented by the District Collector, R.R.District, at Lakdikapul, Mandal Revenue Officer, Balanagar, the Mandal Revenue Officer, Qutubullapur mandal and A.P.Housing Board, represented by Vice-Chairman and Managing Director as defendants with a prayer to grant permanent injunction restraining the defendants in the above suit from interfering with peaceful possession and enjoyment of the petitioners over the suit schedule property.

7. I submit that while the above suit was pending for adjudication, one Boina Venkatesh S/o.Narsaiah filed a complaint before the Hon'ble Lokayukta alleging that the petitioners encroached into Government land. In pursuance thereof, the Hon'ble Lokayukta was pleased to pass an order dated 28.11.2013 in letter Dis. No.3613/2012/B1/LOK/6243/2013 directing the Collector, R.R. District to conduct Joint Survey for ascertaining truth or otherwise of the allegations made against the petitioners. In pursuance thereof the District Collector, R.R.District by an order dated 25.02.2014 in letter No.LP.4/581/2013 ordered joint

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inspection and survey. The team of officials comprising, Revenue Divisional Officer, Rajendera nagar division, Revenue Divisional Officer, Malkajgiri division, Asst. Director Survey and Land Records Ranga Reddy district and the Tahsildar, Qutubullapur mandal conducted spot inspection of the land and surveyed the land with the help of village map and prepared a report in respect of total land held by the petitioners in the above survey numbers. In the report it was stated that the Government land in Sy.No.348 pertains to qutubullapur village is overlapping on the land of the petitioners in Sy.No.183 to 190 of Moosapet village which are recorded as private patta land to an extent of Ac.14.36 gts which is to be deleted from Sy.No.348 of Qutubullapur village by obtaining orders from the Competent Authority i.e., the District Collector and CCLA. The issue relates to deletion of overlapping is still pending with the District Collector and the CCLA. The suit OS.No. 618 of 2007 was decreed after due contest granting permanent injunction restraining the defendants from interfering with suit scheduled properties admeasuring Ac.59.21 gts in the afore said survey numbers vide judgement dated 26.10.2018.

8. I submit that one Bade Anjaneya Prasad S/o.Mohan Rao filed a complaint No.609/2020/B1 before the Hon'ble Lokayukta, State of Telangana against the District Collector, Medchal Malkajgiri district stating that the revenue officials are interfering with his peaceful possession and enjoyment over the house site purchased by him from the petitioners herein. In the said case, the Tahsildar, Kukatpally mandal, submitted a detailed report vide letter No.B/1106/2020 dated 29.07.2021 to the Registrar, Hon'ble Lokayukta, State of Telangana in which he has furnished the details of the land purchased by the petitioners and acquisition of land by

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the Government and the details of the land in occupation of the petitioners. The Tahsildar submitted another report vide letter No.B/1106/2020 dated 07.10.2020 to the Registrar, Hon'ble Lokayukta, State of Telangana reiterating the same facts.

9. I submit that the District Collector, Medchal Malkajgiri district issued orders in proceedings No. LC/2067/2021 dated 21.09.2021 pursuant to the requisition given by the Managing Director, Hyderabad Metropolitan Water Supply and Sewerage Board for alienation of Government land to an extent of Ac.6.32 gts in Sy.No.336, situated at Kukatpally village and mandal, Medchal Malkajgiri district for construction of sewerage treatment plants and ancillary units, whereby granting permission to the Managing Director, HMWS & SB, Hyderabad to utilize government land in Sy.no.336/P to an extent of Ac.3.33 gts and Ac.1.07 gts in Sy.No.183/2/P and Sy.no.190/2/P situated at Moosapet village, Kukatpally mandal total admeasuring Ac.5.00 gts for construction of 28 MLD capacity sewerage treatment plant ancillary units on certain conditions. The District Collector in his orders directed the Tahsildar, Kukatpally to handover the land in Sy.no.336/P to an extent of Ac.3.33 gts and Ac.1.07 gts in Sy.No.183/2/P and Sy.no.190/2/P situated at Moosapet village, Kukatpally in favour of Mg. Director, HMWS & SB, Hyderabad for construction of 28 MLD capacity sewerage treatment plant and ancillary units.

10. I submit that the Tahsildar, pursuant to the orders passed by the District Collector, Medchal Malkajgiri district dated 21.09.2021 allotted the land of the petitioners in Sy.no.190/1 to an extent of Ac.5.00 gts in favour of Mg. Director, HMWS & SB, Hyderabad. I submit that the Collector passed orders in respect of the Government land in Sy.No.336/P, admeasuring Ac.3.36 gts, an

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extent of Ac.1.07 in Sy.No.183/2/P and Sy.No.190/2/P situated at Moosapet village, whereas the Tahsildar, Kukatpally has entered into the land of the petitioners which is covered by basement and compound wall, gave marking to an extent of Ac.5.00 gts in Sy.No.190/1. Thus the action of the Tahsildar, Kukatpally is illegal, arbitrary and contrary to the decree passed in O.S.No.618 of 2007 dated 26.10.2018.

11. I submit that it is relevant to submit here that the land of the petitioners in Sy.No.183 to 190 was surveyed by the team of revenue officials and survey officials twice and demarcated the boundaries. After acquiring the land by the Government, the land held by the petitioners numbered as Sy.No.183/1, 184/1, 186/1, 187/1, 188/1, 189/1, 190/1. Whereas the land acquired by the Government was numbered as survey numbers i.e., Sy.No.183/2; 184/2, 186/2, 187/2, 188/2, 189/2, 190/2. In pursuance of the survey and demarcation of boundaries by the survey and land records officials the petitioners constructed a basement and compound wall to some extent in accordance with boundaries fixed by the Survey officials and Revenue officials to protect the land from encroachment. The respondents after acquiring the lands of the petitioners for Pariki Cheruvu constructed a bund covering the entire land acquired by them. The Government did not leave any land in Sy.No.183/2/P and Sy.No.190/2/P outside the bund as the land acquired in Sy.No.183/2 and Sy.No.190/2 is within the boundary i.e., bund. The land in Sy.No.336/P is also not available at the site. The entire land in Sy.No.183/2 and Sy.No.190/2 is covered by water body and bund. No land in Sy.No.183/2, Sy.No.190/2 and Sy.No.336/P is available at the site as is evident from the plan prepared by the respondents after conducting survey. I submit that

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in the award passed by the Land Acquisition officer in proceedings No.G/4270/LA/72 dated 31.03.1978 clearly shown the boundaries of the land acquired by the respondents in respect of Sy.No.183/2, 184/2, 186, 187/2, 188/2, 189/2, 190/2. In any of these survey numbers, the land in Sy.No.336/P was not shown as a boundary. Further the land of the petitioners in the above survey numbers were shown towards the boundary of the lands acquired by the respondents. The Tahsildar without any proper verification of the boundaries of the lands of the petitioners wrongly allotted the land of the petitioners to the Mg. Director, HMWS & SB, Hyderabad without following due procedure who in turn allotted to Megha Engineering and Infrastructure Limited. The employees of the 6<sup>th</sup> respondent visited the land of the petitioners where marking was given by the Tahsildar and tried to commence the work. The petitioners objected from proceeding with the work by stating that the proposed work is on the land of the petitioners. The action of the respondents in allotting the land of the petitioners to the respondent No.5 is illegal, arbitrary.

12. I submit that I have no other alternative remedy except to invoke the extraordinary jurisdiction of this Hon'ble Court under Article 226 of the Constitution of India.

13. I submit that I have not filed any writ petition, suit or initiated any other proceedings before any Court of Law for the reliefs sought herein this writ petition.

14. In view of the above stated facts, it is prayed that this Hon'ble Court may be pleased to issue a writ order or direction particularly one

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in the nature of Writ of Mandamus declaring action of the respondents in proposing to construct sewerage treatment plant in the land in Sy.No. 190/1, to an extent of Ac.5.00 gts surrounded by basement and a wooden gate, belongs to the petitioners situated adjacent to Pariki Cheruvu towards east, situated at Moosapet village, Kukatpally mandal, Medchal Malkajgiri district on the guise of treating the above land as Government land in Sy.No.336/P admeasuring Ac.3.33 gts, situated at Kukatpally village and Ac.1.07 gts in Sy.No.183/2/P and Sy.No.190/2/P, situated at Moosapet village, Kukatpally mandal, Medchal Malkajgiri district, total extent of Ac.5.00 gts, without following due process of law, as illegal, arbitrary and consequently direct the respondents not to construct STP Plant in the land of the petitioners in the above survey numbers, and pass such other order or orders may deem fit and proper in the circumstances of the case.

15. For the reasons stated above, it is prayed that this Hon'ble Court may be pleased to direct the respondents not to construct STP plant in the lands of the petitioner i.e., in Sy.No. 190/1, to an extent of Ac.5.00 gts, which is covered by basement with wooden gate, situated at Moosapet village, Kukatpally mandal, Medchal Malkajgiri district, pending disposal of the above writ petition and pass such other order or orders may deem fit and proper in the circumstances of the case.

Solemnly and sincerely affirm this  
the 30<sup>th</sup> October, 2021 and signed  
his name in my presence.  
DEPONENT

ADVOCATE : HYDERABAD

CT

VERIFICATION STATEMENT

I, Ch.Anil Kumar S/o.Ch.Hanumantha Rao, aged about 54 years, occ: Business, Villa No.37, Devi Stana Group Housing, Venkatrao Nagar, Kukatpally, Hyderabad, being the petitioner/ person acquainted with the facts do hereby verify and state that the contents of the above paras of the Affidavit are true and correct to the best of my knowledge. Hence verified at on this the day of 30.10.2021.

ADVOCATE

DEPONENT

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**DECREE IN ORIGINAL SUIT**

**IN THE COURT OF XIII ADDL. DISTRICT AND SESSIONS JUDGE  
RANGA REDDY DISTRICT, AT L.B.NAGAR, HYDERABAD.**

**PRESENT: SRI B.SURESH,  
XIII ADDL. DISTRICT & SESSIONS JUDGE,  
RANGAREDDY DISTRICT.**

**DATED THIS THE 26TH DAY OF OCTOBER, 2018**

**O.S.No. 618 OF 2007**

**Between:**

- 1. Ch. Hanumantha Rao S/o Ch. Venkalah  
aged about 70 years, occ: Agriculture,  
H.No.5-3-113, Kukatpally village,  
Balanagar Mandal, R.R. District.**
- 2. Ch. Konda Rao S/o Rama Rao,  
aged about 46 years, occ: Business,  
R/o. Plot No.365, Vivekananda Nagar colony,  
Kukatpally, R.R. District.**

**AND**

- 1. The Government of Andhra Pradesh;  
rep. By District Collector,  
R.R. District at Lakdikapool, Hyderabad.**
- 2. Mandal Revenue Officer, Balanagar Mandal,  
at K.P.H.B. R.R. District.**
- 3. Mandal Revenue Officer, Qutubullapur Mandal,  
at Qutubullapur, R.R. District**
- 4. Andhra Pradesh Housing Board,  
rep. By its Vice Chairman and Managing Directors  
at Gruhakalpa, Hyderabad.**

**....Defendants.**

**CLAIM:-Suit for injunction restraining the defendants or any person claiming through them from interfering with the peaceful possession and enjoyment of the suit schedule property.**

**VALUATION:-**

The suit is valued at Rs.11,00,000/- and paid court fee of Rs.13,426/- u/s. 26(c) of APCF and SV Act.

**Cause of action and Jurisdiction:-**

Cause of action arose on 18-6-2007 when the defendants came along with their henchmen and tried to interfere and encroach upon a portion of the suit schedule property.

And this court got jurisdiction to try the suit as the properties are situated at Moosapet Ranga Reddy District.

Plaint Presented on : 11-07-2007  
Plaint Numbered on : 11-07-2007

This suit is coming on this day before me for final disposal in the presence of Sri.K.Janardhan Reddy, Advocate for the plaintiff and of Sri K.Jaya Reddy, Advocate for Defendant Nos.1 to 3 and defendant No.4. I remained exparte and upon hearing the counsel for plaintiff and this court doth order and decree as follows:-

COURT OF XIII ADDL. DISTRICT AND SESSIONS JUDGE  
RANGAREDDY DISTRICT

28470/18  
29/10/18  
21/11/19  
Plaintiffs deposited on: 31/11/19  
Amount Rs. 8960/5/- 102/-  
Copy made ready on: 8/10/18  
Copy delivered on: 8/10/18

Subordinate  
Court of Sessions  
Ranga Reddy District

8-10-2018



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1. That the suit of the plaintiff be and the same is hereby decreed by granting permanent injunction restraining the defendants or any person claiming through them from interfering with the peaceful possession and enjoyment of the plaintiffs over the suit schedule property.

2. That the both parties are directed to bear their own costs.

Given under my hand and the seal of the court on this the 26<sup>th</sup> day of October, 2018.

XIII ADDL.DISTRICT AND SESSIONS JUDGE  
RANGA REDDY DISTRICT

MEMO OF COSTS

FOR PLAINTIFFS

FOR DEFENDANTS  
No.1 to 3      No.4

- 1. Stamp on Plaint
- 2. Stamp on vakalat
- 3. Stamp on process
- 4. Advocate Fee (Senior)  
(Junior)

Rs.	13,426/-		
Rs.	2/-	2/-	exparte
Rs.	200/-		
Rs.	---		

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Rs.	13,628/-	2/-	exparte
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XIII ADDL.DISTRICT AND SESSIONS JUDGE  
RANGA REDDY DISTRICT

SCHEDULE OF PROPERTY

All that the agricultural land bearing Sy.Nos.183/1 admeasuring Ac.2-09 Gts 184/1 admeasuring Ac.2-09 Gts 184/1, admeasuring Ac.4-24 Gts 186/1, admeasuring Ac.15-30 Gts 187/1, admeasuring Ac.10-23 Gts 188/1, admeasuring Ac.10-04 Gts 189/1, admeasuring Ac.12-25 Gts 190/1, admeasuring Ac.3-26 total admeasuring Ac.59-21 Gts, situated at village Moosapet, R.R.District contiguous bounded by:-

- North: Village boundary of Gajularamaram.
- South: Kukatpally sivar lands and Parkicheruvu
- East: Kukatpally village boundary
- West: Village boundaries are Gajularamram and Kukatpally (part of Parkicheruvu).



CERTIFIED TRUE PHOTO COPY

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XIII ADDL.DISTRICT AND SESSIONS JUDGE  
RANGA REDDY DISTRICT

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IN THE COURT OF THE XIII ADDL. DISTRICT AND SESSIONS JUDGE,  
RANGA REDDY DISTRICT AT L.B. NAGAR.

PRESENT: B. SURESH,  
XIII ADDL. DISTRICT JUDGE,  
RANGA REDDY DISTRICT.

DATED THIS THE DAY 26<sup>th</sup> DAY OF OCTOBER, 2018.

O.S. No. 618 of 2007

Between:-

1. Ch. Hanumantha Rao
  2. Ch. Kondal Rao
- And
- ... Plaintiffs

1. The Government of Andhra Pradesh  
Rep. by District Collector, R.R. District
  2. MRO, Balanagar Mandal
  3. MRO, Quthbullapur Mandal
  4. Andhra Pradesh Housing Board
- ... Defendants

*This suit is coming before me on 28-08-2018 for final hearing in the presence of Sri K. Janardhan Reddy, Counsel for the Plaintiffs and Sri K. Jaya Bharatha Reddy, Counsel for Defendant Nos. 1 to 3 and Defendant No. 4 remained exparte and upon hearing both sides, perusing the material on record and having stood over the matter for consideration till this day, this court passed the following:-*

#### JUDGMENT

1. This suit is filed by the sole Plaintiff for the relief of injunction restraining the Defendants or any person claiming through them from interfering with the peaceful possession and enjoyment of the suit schedule property and to decree the suit accordingly with costs.
2. The brief averments of the plaint are as follows:
  - a) The Plaintiff herein along with one Ch. Padma Rao (elder brother of Plaintiff No. 2) jointly purchased the agricultural land admeasuring 104.22 guntas in Sy. Nos. 183, 184, 186, 187, 188, 189 and 190



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of Moosapet, the then Taluq West, Hyderabad District presently Balanagar Mandal, R.R. District. The Plaintiffs got purchased the said land through registered sale deed bearing document No. 1275/1968, Dt. 04/09/1968. The said property being hillock and shikmitala, there are no cultivations, as such possession is not recorded in Pahanies except the names of pattedar. While the matter stood thus, the Government of A.P. has acquired the land to an extent of Ac. 45.01 guntas out of the land to an extent of Ac. 104.22 guntas of the plaintiff herein for the purpose of percolation tank called as Parkicheruvu. At the time of acquisition proceedings, the notices were issued to the Plaintiff No. 1 and late Padma Rao and they appeared before the enquiry and received compensation amount. The Plaintiffs were left over an extent of Ac. 59.21 guntas i.e., in Sy. No. 183/1 admeasuring Ac. 2.09 guntas, Sy. No. 184/1 admeasuring Ac. 4.24 guntas, Sy. No. 185/1 admeasuring Ac. 15.30 guntas, Sy. No. 187/1 admeasuring Ac. 10.23 guntas, Sy. No. 188/1 admeasuring Ac. 10.04 guntas, Sy. No. 189/1 admeasuring Ac. 12.25 guntas, Sy. No. 190/1 admeasuring Ac. 3.26 guntas.

b) In the year 2002 some third parties tried to enter into the land of plaintiffs, as such for protection and proper identification of the plaintiffs land, they got filed an application for survey and demarcation of the remaining land of the plaintiffs herein. Accordingly, on 30/05/2002 the Inspector of Survey and Land Records conducted survey and panchanama in file No. A3/920/2002 and fixed the boundaries of plaintiffs land and copy of the panchanama and touch plan was furnished to the plaintiffs. The Plaintiffs were also issued pattadar passbooks during the year 1976 showing that they are the



owners and possessors of the suit schedule property. Though they were the owners and possessors of suit schedule property, they could not mutate the land in their names till date and their vendors' names are recorded as pattedars and the land is shown padava.

c) After panchanama, the plaintiffs have developed the said land and plotted the land @ 80 square yards each and sold to weaker section people and the said land consists of hillocks and surroundings the hillock some portions of the land adjacent to the Gajularamaram Village and Jagathgirigutta Village. As the land being a vacant land, many people tried to encroach the land and to avoid the same, the Plaintiffs made the land into small plots of 80 square yards each and some of the plots were sold to all the weaker section members to avoid the encroachment and still some portion of the land is still vacant and in physical possession of the plaintiffs.

d) In the month of December, 2006 Defendant Nos. 2 and 3 came to the said land alleging that they have allotted land in Sy. No. 348 to homeless persons under Rajiv Gruh Kalpa Scheme while allotting the land in Sy. No. 348 they have wrongly shown a portion of the plaintiffs land as part of Sy. No. 348 of Gajularamaram Village and on the basis of said orders, the A.P. Housing Board was asked to construct house for weaker section and the defendant No. 4 was also allotted the work to the contractor when they started the construction work and tried to enter into a portion of the suit land belonging to the Plaintiffs, they approached MRO of Quthbullapur Mandal and Balanagar Mandal i.e., Defendant Nos. 2 and 3 and orally represented and also filed representations to the Collector and others not to encroach into any



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portion of the plaintiffs land. In spite of giving complaints and representations, the Defendants have not taken any action but the encroachment was stopped.

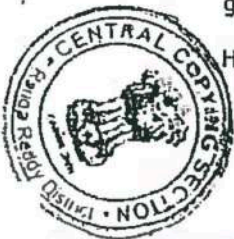
e) While the matter stood thus, the Defendants again made an attempt on 18/06/2007 to encroach upon a portion of the land belonging to Plaintiffs i.e., about Ac. 6.00 guntas and tried to allot the said land to APHB for construction of the house under Rajiv Gruha Kalpa Scheme and the Minister for housing accompanied by MRO, Quthbullapur came to the site. Having coming to know about the same, the Plaintiffs have approached them and gave an objection petition along with documents. The defendants time and again tried to encroach upon the said vacant land belonging to the plaintiffs to allot the said land for construction of houses. The defendants high handedly trying to encroach upon the said land and allot for houses without any right whatsoever. The Defendants are powerful and capable to encroach and occupy the patta lands of the plaintiffs. Unless the defendants are restrained by way of perpetual injunction, there is every likely hood that the defendants may again come to the suit land and encroach. The Plaintiffs being owners and possessors of suit schedule property are entitled to protect their possession and plaintiffs have no other alternative except to approach the Court for protection. The acts of the defendants are high handed and mala fide and there is no sufficient time to issue notice under section 80 of CPC before filing the suit, as such filed an application under section 80 (2) of CPC to dispense with the issuance of notice in view of urgency in the matter. Therefore, the plaintiffs filed the suit for the relief of injunction restraining the Defendants or any person claiming through



them from interfering with the peaceful possession and enjoyment of the suit schedule property and to decree the suit accordingly with costs.

3. After filing of the suit, summons were issued to Defendants. The Defendants failed to appear before the Court and as such they were set ex parte. However, the Defendant Nos. 1 and 3 filed petition for setting aside the ex parte order and thereby the ex parte order was set aside against them and whereas, Defendant No. 3 filed written statement and Defendant No. 1 filed memo adopting the written statement of Defendant No. 3. The brief averments of written statement filed by Defendant No. 3 are as follows:

a) This Defendant denied all other allegations made in the plaint, except which are specifically admitted herein and contend that the allegations are not tenable in the eye of law and thus, the suit is liable to be dismissed. The Plaintiffs have suppressed the material facts and not approached the Court with clean hands and thus the suit is liable to be dismissed. As per the revenue records the land in Sy. No. 348/1 an extent of Ac. 687.38 guntas of Quthbullapur Village is recorded as Janglath Sarkari belongs to Government and covered by hillocks and rocky. The land in Sy. Nos. 193 to 190 situated at Moosapet Village of Balanagar Mandal are adjoining lands to government land in Sy. No. 348/1 of Quthbullapur village. As per the regulation received from the Collector, R.R. District of Nellore No. 480/05, Dt. 04/07/2005 the Mandal Surveyor has demarcated and identified an extent of Ac. 2.00 guntas and Ac. 6.12 guntas in Sy. No. 348/1 for allotment to A.P. Housing Board for construct of houses under Rajiv Gruha Kalpa



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Scheme and physical possession of the land has already been handed over to A.P. Housing Board under cover of Panchanama.

b) These Defendants are no way concerned with the ownership of patta lands in Sy. No. 183 to 190 of Moosapet Village and not tried to encroach any of the plaintiffs' patta land. Only the Government land available in survey No. 348/1 has been allotted to A.P. Housing Board for construction of houses under Rajiv Gruha Kalpa Scheme for the benefit of weaker section people. The government of A.P. has acquired a portion of the land measuring Ac. 45.01 guntas out of the said land for the purpose of percolation tank called as Parkcheruvu for which the Plaintiff shall be put to strict proof of the same. The plaintiffs have sold out their available adjacent patta land and with an intention to grab the adjacent available land in Sy. No. 348/1 of Quthbullapur the plaintiffs have filed the suit. The contents of the plaint are created and concocted for the purpose of present suit. Thus, the suit is liable to be dismissed. The plaintiffs have not properly explained to dispense the notice under section 80 of CPC which is reported in 2007 (1) ALT SC 43 and thus, the suit is liable to be dismissed. The Plaintiffs have suppressed the material facts and the suit is liable to be dismissed and finally prayed to dismiss the suit.

4. Based on the above pleadings, the following issues are framed for trial:

- 1) Whether the Plaintiffs are entitled for the relief of perpetual injunction against the defendants and their men as prayed for?



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2) Whether the Defendants acquired possession of land admeasuring Ac. 45.01 guntas for the purpose of percolation tank called Parkicheruvu?

3) Whether the suit is maintainable without issuing notice under section 80 of CPC by the plaintiff to the defendant?

4) To what relief?

6. In support of their contentions, on behalf of Plaintiff, her husband is examined as PW1 and Exs. A1 to A9 were marked. On the other hand, on behalf of Defendants, Defendant No. 4 is examined as DW1 and got marked Exs. B1 and B2.

7. Issue Nos. 1 and 2: The contention of the Plaintiff is that Plaintiff No. 1 along with one Ch. Padma Rao (elder brother of Plaintiff No. 2) jointly purchased the agricultural land admeasuring Ac. 104.22 guntas in Sy. Nos. 183, 184, 186, 187, 188, 189 and 190 of Moosapet, the then Taluq West, Hyderabad District presently Balanagar Mandal, R.R. District and out of which an extent of Ac. 45.01 guntas was acquired by the Government and they are left over an extent of Ac. 59.21 guntas. It is further contention of the Plaintiffs that adjacent land belonging to the government and they have encroached into their land as such they got filed the suit restraining the Defendants from encroaching the land of the Plaintiffs herein. But the Defendants herein denied the contention of the Plaintiffs and mainly contend that the land in Sy. No. 348/1 an extent of AC. 687.38 guntas of Quthbullapur Village is recorded as Janglath Sarkar belonging to Government and the lands in Sy. Nos. 183 to 190 situated at Moosapet Village of Balanagar Mandal are adjoining lands to government land in



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Sy. No. 348/1 of Quthbullapur village and they denied that they encroaching into the land of the Plaintiffs.

8. In support of the contentions of the Plaintiffs, they got examined Plaintiff No. 2 as PW1 and in support of their contention that they got purchased the land to an extent of Ac. 104.22 guntas in Sy. Nos. 183, 184, 186, 187, 188, 189 and 190 of Moosapet relied upon Ex. A1. On perusal of Ex. A1, it discloses that the Plaintiff got purchased Ac. 104.22 guntas in Sy. Nos. 183, 184, 186, 187, 188, 189 and 190 of Moosapet. Further, PW1 contended that out of the said land an extent of Ac. 45.01 guntas of the land was acquired by the government for the sake of Parkicheruvu. In support of the said contention, he relied upon Exs. A2 to A4, which are judgment and decree along with map showing the records with regard to the enhancement of the compensation for the land acquired by them. So, thereafter the plaintiffs were left over with Ac. 59.21 guntas i.e., suit schedule property. The plaintiffs further contend that the defendants are trying to encroach the land of the Plaintiff herein. The Plaintiffs also relied upon Exs. A5 to A24, which are certified copies of the pahanies for the years 1996-97 to 2003-04 (not for continuous period), land slith passbook issued by Tahasildar, representations given by the plaintiffs to MROs, Assistant Director of Survey and Settlement, District Collector, Special Deputy Collector, photographs etc.

9. Apart from the above oral and documentary evidence, the Plaintiffs relied upon PW3 who is none other than the Inspector of Survey, Medchal and he deposed that the lands in Sy. No. 187 to 190 of Moosapet Village are patta lands. Whereas DW1 who is the Special



Deputy Collector cum Tahasildar, Quthbullapur Mandal, R.R. District deposed that he do not know whether the lands in sy. Nos. 183 to 185, 187 to 190 of Balanagar are patta lands. When the government official who is in custody of the land records coming to the Court and deposing with regard to the facts of the case, he is expected to know about the suit lands as to whom the land belongs. Moreover DW1 deposed that he does not know whether the plaint schedule properties are patta lands or not. So, that itself discloses that he did not come prepared to the Court to give evidence on behalf of the Defendants herein. Whereas coming to the evidence of PW3 it discloses that the said lands are patta lands and even according to Exs. A1 to A4 the said lands are patta lands, as such the Government acquired the land from them for the purpose of parkcheruvu.

10. To establish the contention of the Defendants herein they relied upon Exs. B1 to B17, whereas Exs. B1 to B16 are pahanles for the years from 1984-85 to 2011-12 (not for continuous period) with regard to the land in Sy. No. 348/1, which is shown as authorized land i.e., land belonging to the government. Ex. B17 is the sketch showing the land in Sy. No. 348 of Quthbullapur Village, wherein there are existence of houses, industrial area etc. But the surrounding lands or survey number are not shown in Ex. B17 to appreciate the facts that the land in Sy. Nos. 183, 184, 185 and 187 to 190 are adjacent lands in Sy. No. 348/1 of Quthbullapur Village. PW3 who is the government official, deposed that report was prepared as per the instructions of the District Collector, R.R. District vide letter No. LP4/581/2013, Dt. 25/02/2014 and in the light of the directions issued by the Hon'ble Lokayuktha vide Letter Dis. No. 3613/2012/B1/LOK/6243/2013, Dt.



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28/11/2013. He further deposed that a team of officials comprising the Revenue Divisional Officer, Rajendranagar Division, RDO, Malkajgiri, Assistant Director, Survey of land records, R.R. District and Tahsildar, Quthbullapur Mandal conducted spot inspection of Sy. Nos. 183, 184, 186, 187, 188, 189 and 197 i.e., most of the lands of the suit survey numbers and Sy. No. 374 of Kukatpally of Balanagar and Sy. No. 374 of Kukatpally was allotted to Quthbullapur and resurvey numbered as 348 and filed a report stating that there is an overlap of the land available i.e., as per Ex. A23 Sy. No. 348 of Quthbullapur Village is overlapping Sy. No. 187 to an extent of Ac. 0.22 guntas, Sy. No. 188 to an extent of Ac. 7.30 guntas and Sy. No. 189 to an extent of Ac. 2.10 guntas and Sy. No. 190 to an extent of Ac. 4.14 guntas of Moosapet Village. Ex. A26 is the original sketch and Ex. A25 is the original report of Ex. A23 of Report. EX. A26 is the original sketch of Ex. A24 certified copy of sketch. So, the evidence of PW3 establishes the fact that the land in Sy. No. 348/1 is overlapping and the land in sy. Nos. 187, 188, 189 and 190, as such there is every possibility of defendant claiming the land of the plaintiff to be of their land and allotting the said land to A.P. Housing Board for construction of the house. On perusal of Ex. A23 Report it discloses as follows:

*"A detailed sketch showing the overlapping area is prepared & enclosed herewith. Thus, the overlapping area requires deletion from the Sy. No. 348 pertains to Quthbullapur Village, the Sy. No. 348 of Quthbullapur Village is a Government land and where as the Sy. Nos. 183 to 190 of Moosapet Village are recorded as private patta lands."*



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11. Even in the said report it is held that out of Ac. 104.22 guntas in Sy. No. 183 to 196, they acquired an extent of Ac. 45.01 guntas for the sake of Parkicheruvu and it is supporting the contention of the Plaintiffs. So, the report which is being conducted by a team of official persons of Revenue Divisional Officer, Rajendranagar Division, RDO, Malkajgiri, Assistant Director, Survey of land records, R.R. District and Tahsildar, Quthbullapur Mandal, itself discloses that there was open land in Sy. No. 348 of Quthbullapur Village in the surrounding survey numbers 183 to 190 which are recorded as patta land. So, there is every likelihood of defendants encroaching into the land of the Plaintiffs.

12. Further, in support of the contention of the Plaintiffs they got examined PW2 who is alleged to be a person who purchased the land of the Plaintiffs herein when he lay out the lands into plots and sold the said plots and without forming into a society. According to him also the Defendants are trying to encroach into the land of the Plaintiff. Though PW2 has not filed any document with regard to purchase of the land or with regard to formation of the society but his evidence discloses that the government officials came to the suit land and they surveyed the said land which is also supported by the evidence of PW2. So, the evidence of PW2 also supports the contention of the Plaintiffs with regard to conducting of survey by government officials. Whereas DW 1 in the cross examination deposed that the claim of the Plaintiffs is in Sy. Nos. 183 to 18, 187 to 190.

13. As it can be seen that when PW2 has purchased the said lands, he is claiming the said land and he is not claiming any land in Sy. No.



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O.S. No. 618/2007

348/1 or any other survey number. Even according to DW1, he deposed that the Plaintiff is claiming government land of Quthbullapur Village but he failed to establish whether he encroached into any part of the land in Sy. No. 348/1 or whether he occupied any land in that survey number or whether he is in possession of any of the extent of the land. But the entire pleadings as well as the evidence of the Plaintiffs go to show that they are claiming land in Sy. Nos. 183 to 185 and 187 to 190 as admitted in the evidence. He further deposed that he is deposing evidence based on the records available at Medchal and that he has not verified any records from the District Collector, MRO, Balanagar, MD, APHP. He further deposed that he has not perused the documents filed by the Plaintiffs. It is the case of the Defendants that the Plaintiff herein is encroaching or occupying the land of the Defendants but the Defendants also failed to establish the same by cogent and convincing evidence. It is contended that it is the Mandal Surveyor who informed that the Plaintiffs are claiming government land in sy. No. 348/1. If at all such fact is true, at least when DW1 is coming to the court he could have known as to whether the Plaintiff occupied any land in sy. No. 348/1 of Quthbullapur Village and claiming the land.

14. DW1 deposed that the Mandal Surveyor informed that the plaintiffs were claiming government land in Sy. No. 348/1 of Quthbullapur under the patta lands in Sy. No. 183 to 190 of Moosapet Village. He further deposed that he has not verified any facts prior to giving of evidence. So, there is no evidence let in by the Defendants that the Plaintiffs are trying to grab the land of the defendants. On the other hand the Plaintiffs herein beyond all probabilities established that



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there was overlapping of the land pertaining to Sy. Nos. 348/1 and land in sy, Nos. 187 to 190. It is an admitted fact that the defendants herein have acquired an extent of Ac. 45.01 guntas of the plaintiffs' land for the purpose of Parkicheruvu. So, the Plaintiff herein could establish that the Defendants herein claiming the property which is the government land and trying to enter into the land of the Plaintiffs, as such the Plaintiffs are entitled to perpetual injunction restraining the Defendants from encroaching into the land of the plaintiff herein. Hence, these issues are answered in favour of the Plaintiffs.

15. Issue No. 3: This Issue is with regard to notice under section 80 of CPC. The Plaintiff herein in the plaint contended that because of the fact that defendants are trying high handedly and with mala fide intention to grab the property and as there is no sufficient time to issue notice under section 80 of CPC before filing of the suit, they have filed application under section 80 (2) of CPC to dispense the issue of notice in view of the urgency and requested to permit the plaintiffs to file the suit. So, even law is permitting to dispense the notice when there is urgency in the matter. Hence, the suit is filed properly by dispensing the notice under section 80 of CPC. Hence, this issue is answered accordingly.

16. Issue No. 4: As the Plaintiff could establish that he is in possession and enjoyment of the suit schedule property and as there is threat of dispossession of the Plaintiff, the Plaintiff herein is entitled for perpetual injunction as prayed for.

17. In the result, the suit of the Plaintiff is decreed granting permanent injunction restraining the Defendants or any person



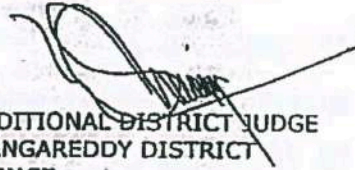
40

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O.S. No. 618/2007

claiming through them from interfering with the peaceful possession and enjoyment of the Plaintiffs over the suit schedule property. In view of the facts and circumstances of the case, both the parties are directed to bear their own costs.

*Dictated to the Stenographer, transcribed and typed by him, pronounced and corrected by me in Open court, on this the 26<sup>th</sup> day of October, 2018.*



XIII ADDITIONAL DISTRICT JUDGE  
RANGAREDDY DISTRICT

**APPENDIX OF EVIDENCE**  
**WITNESSES EXAMINED**

**ON BEHALF OF PLAINTIFFS:**

PW1: Sri Ch. Kondal Rao  
PW2: Sri P. Balakrishna  
PW3: Sri M. Ramchander

**ON BEHALF OF DEFENDANTS:**

DW1: Sri M. Krishna

**EXHIBITS MARKED**

**ON BEHALF OF PLAINTIFFS:**

- Ex. A1: Certified copy of Sale deed bearing document No. 1225/1968, Dt. 04/09/1968
- Ex. A2: Certified copy of judgment in OP No. 276/1978 on the file of I Addl. Judge, City Civil Court, Hyderabad
- Ex. A3: Certified copy of decree in OP No. 276/1978 on the file of I Addl. Judge, City Civil Court, Hyderabad
- Ex. A4: Certified copy of touch plan in file No. K3/1669/2003, Dt. 09/08/2002
- Ex. A5: Certified copy of Panchanama Issued by Inspector of Survey and Land records
- Ex. A6: Certified copy of Pahani for the year 1976-77
- Ex. A7: Certified copy of Pahani for the year 1999-2000
- Ex. A8: Certified copy of Pahani for the year 2000-2001
- Ex. A9: Certified copy of Pahani for the year 2001-2002
- Ex. A10: Certified copy of Pahani for the year 2002-2003
- Ex. A11: Certified copy of Pahani for the year 2003-2004
- Ex. A12: Land slsth pass book issued by Tahsildar
- Ex. A13: Representation given by Plaintiff to MRO, Balanagar Mandal



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- Ex. A14: Letter given by Plaintiff No. 1 to MRO
- Ex. A15: Letter given by Plaintiff No. 1 to Asst. Director of Survey
- Ex. A16: Letter given by Plaintiff No. 1 to District Collector
- Ex. A17: Letter given by Plaintiff No. 1 to MRO, Quthbullapur Mandal
- Ex. A18: Letter given by Plaintiff No. 1 to MRO, Quthbullapur Mandal
- Ex. A19: Letter given by Plaintiff No. 1 to MRO, Balanagar Mandal
- Ex. A20: Letter given by Plaintiff No. 1 to District Collector
- Ex. A21: Letter given by Plaintiff No. 1 to Special Deputy Collector cum MRO, Balanagar Mandal
- Ex. A22: Rough sketch plan of the suit schedule property
- Ex. A23: Certified copy of joint inspection report submitted by Additional Director Survey and Land Records, R.R. District
- Ex. A24: Certified copy of plan attached to Ex. A23
- Ex. A25: Original Report of Ex. A3
- Ex. A26: Original sketch plan of Ex. A24

ON BEHALF OF DEFENDANTS:

- Ex. B1: Certified copy of pahani for the year 1984-85
- Ex. B2: Certified copy of pahani for the year 1987-88
- Ex. B3: Certified copy of pahani for the year 1992-93
- Ex. B4: Certified copy of pahani for the year 1993-94
- Ex. B5: Certified copy of pahani for the year 1994-95
- Ex. B6: Certified copy of pahani for the year 1996-97
- Ex. B7: Certified copy of pahani for the year 1998-99
- Ex. B8: Certified copy of pahani for the year 2001-02
- Ex. B9: Certified copy of pahani for the year 2002-03
- Ex. B10: Certified copy of pahani for the year 2003-04
- Ex. B11: Certified copy of pahani for the year 2004-05
- Ex. B12: Certified copy of pahani for the year 2006-07
- Ex. B13: Certified copy of pahani for the year 2007-08
- Ex. B14: Certified copy of pahani for the year 2009-08
- Ex. B15: Certified copy of pahani for the year 2010-11
- Ex. B16: Certified copy of pahani for the year 2011-12
- Ex. B17: Original sketch



READY BY: *[Signature]*  
 COMPAILED BY: *[Signature]*  
 CERTIFIED TRUE PHOTO COPY

Copying Supervisor  
*[Signature]*  
 9/11/2019

*[Signature]*  
 XIII ADDITIONAL DISTRICT JUDGE,  
 RANGAREDDY DISTRICT.

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ISSUED UNDER RTI Act-2005

K3/169711

SP

JOINT INSPECTION REPORT REGARDING BOUNDARY DISPUTE IN  
RESPECT OF SY NO'S 187 TO 190 OF MOOSAPET VILLAGE OF  
BALANAGAR MANDAL AND SY NO 348/1 OF QUTUBULLAHPUR  
VILLAGE OF QUTUBULLAHPUR MANDAL

In compliance to the instructions contained in the Collector Ranga Reddy District Lr No. LL4/581/2013 dated 25-2-2014 and in light of the directions issued by Hon'ble Lokayukta vide Lr Dis No 3613/2012/B1/LOK/6243/2013 dated 25-2-2013 a team of officials comprising the Revenue Divisional Officer, Balanagar Division, Revenue Divisional Officer Malkajgiri Division, Assistant Director Survey & Land Records Ranga Reddy District and Tahsildar, Qutubullahpur Mandal conducted the spot inspection of Sy No 187 & 190 of Qutubullahpur Village with the help of Village maps, and on the basis of report of Inspector of Survey and supporting sketches. As could be seen from the Village map during revision survey the old Sy no 166 (popularly called as "Parki Talab") was divided into (7) parts assigning Sy No (old) 166 as Sy No 183, 184, 186, 187,

189 and 190

and correlated as follows:-

166/1	186	-	Ac 17 - 07 Gts
166/2	187	-	Ac 15 - 05 Gts
166/3	188	-	Ac 10 - 18 Gts
166/4	190	-	Ac 19 - 04 Gts
166/5	189	-	Ac 13 - 24 Gts
166/6	184	-	Ac 16 - 15 Gts
166/7	183	-	Ac 12 - 29 Gts

The Field boundaries of above Sy No's have been re-fixed by Inspector of Survey by using ETS Machine and found that there is a overlap on the ground in between both the villages of Moosapet & Qutubullahpur, similarly we have verified the ground position of Sy No 348, of Qutubullahpur Village. It was noticed that earlier the Sy No 348 pertains to Sy No 374 of Kukatpally village, Balanagar Mandal. Later on the said Sy No 374 of Kukatpally has transferred and clobbered in Qutubullahpur village, and being recorded as Sy No 348 in Qutubullahpur village.

The village boundary in respect of Sy No 348 of Qutubullahpur village, and the village boundary of Moosapet in respect of Sy No 183 to 190 have been re-fixed on the ground. The common village boundary is not co-inside on the ground and also with the village map of each other it is noticed that the part of Sy No 348 of Qutubullahpur village is overlapping with the parts of Sy No's 187 extent Ac 0-22 gts Sy No 188, extent Ac 7-30 gts, Sy No 189 extent Ac 2-10 gts, and Sy No 190 extent Ac 4-14 gts ( total measuring Ac 14-36 gts).

Further it is submit that an extent of Ac. 45-01 gts was acquired out of Ac 104-22 gts in Sy No 183 to 190 for Perki Cheruvu vide file number G/4270/LA/72 Dated: 31-5-1978. the details are as under :-

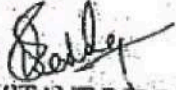
SY NO	TOTAL	ACQUIRED	BALANCE LAND LEFT WITH PATTEDAR
183	12-19	10-20	2-09
184	16-15	11-31	4-24
185			
186	17-07	1-17	15-30
187	15-05	4-22	10-23
188	10-18	0-14	10-04
189	13-24	8-39	4-25
190	19-04	7-18	11-26
TOTAL	104-22	45-01	59-21

A detailed sketch showing the overlapping area is prepared & enclosed herewith. Thus, the overlapping area requires deletion from the Sy No 348 pertain to Qutubullahpur village, the Sy No 348 of Qutubullahpur village is a Government land and where as the Sy No's 183 to 190 of Moosapet village are recorded as private patta lands.

As per CCLA circular Re No. S1/1009/2011 CSSLRs dated 18-5-2011, the resolution of village boundary disputes shall be dealt under section 90 and 91 of AP (TA) Land Rev Act 1317 Fasli.

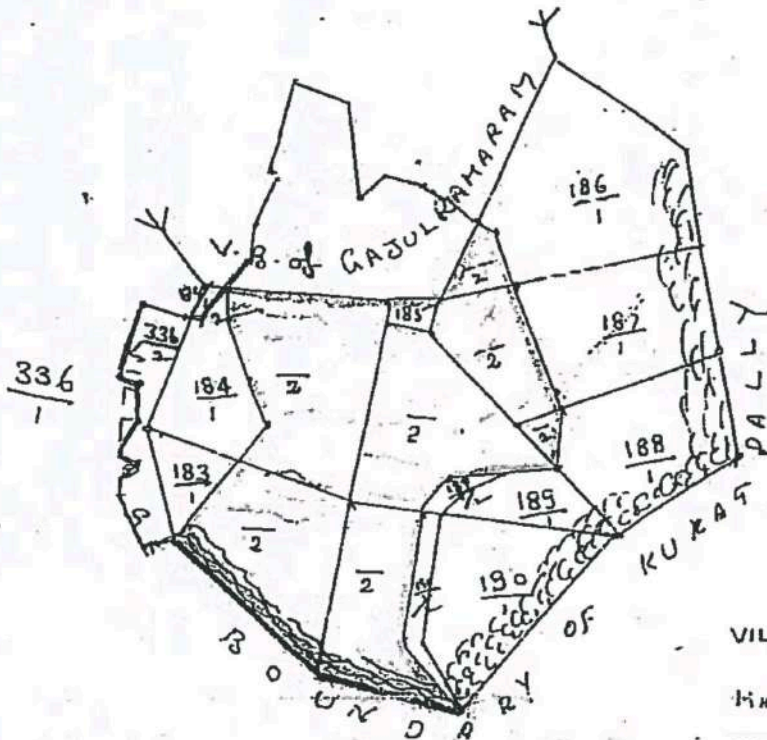
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-3-

In this case same piece of land is included in two villages in one village it is recorded as patta land and in adjoining village it is recorded as Government land. Since the Government land is involved in this case, the provision of section 87 of AP (TA) LR Act shall also attract to this case, besides section 90 and 91 of AP (TA) LR Act. It needs enquiry by the District Revenue Officer w/s 90 and 91 of AP (TA) LR Act, 1917 (as amended) and it needs quasi judicial enquiry by the Joint Collector w/s 87 of AP (TA) LR Act, there after necessary correction proposals have to be submitted to the Commissioner Survey Settlement & Land Records Hyderabad for sanction of correction.

  
ASSISTANT DIRECTOR  
SURVEY & LAND RECORDS  
RANGA REDDY DISTRICT

46

GATEWAY



Scale 8"

VILLAGE -- MOE

MUNDAL -- R.O.

DIST --- RAN

ABSTRACT

SL. NO.	Particular	Sy. no.	Area	Mark
1.	S. KAN 186/2	15/19/2	37.36	
	" 183/2 184/2	184/1	4.24	
	F-7-L	183/1	2.09	
	" "	190/1	0.22	
	" "	189/1	1.20	
	Kukatpally F-7-L	336/2	4.17	
			51.08	

INDEX

SL. NO.	Reference	Mark
1	Sikan	
2	F-7-L	
3	Band	

R.O. Alis  
by 10.8.

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Date: 23.11.2021

To  
The Tahasildar  
Kukatpally mandal,  
Medchal Malkajgiri district

Sir,

Ref: Order In I.A.No.1 of 2021 in W.P.No.28313 of 2021-Reg.

I, Chinthapatta Hanumantha Rao S/o.Venkaiah, R/o.H.No.5-3-113,  
Kukatpally village & mandal, Medchal Malkajgiri district represented by GPAHolder, Ch.Anil  
Kumar, S/o.Ch.Hanumantha Rao submit

That I filed W.P.No.28313 of 2021 questioning the action of the respondents in proposing to construct sewerage treatment plant in the land in Sy.No. 190/1, to an extent of Ac.5.00 gts belongs to the petitioners on the guise of treating the above land as Government land in Sy.No.336/P admeasuring Ac.3.33 gts, situated at Kukatpally village and Ac.1.07 gts in Sy.No.183/2/P and Sy.No.190/2/P, situated at Moosapet village, Kukatpally mandal, Medchal Malkajgiri district, total extent of Ac.5.00 gts, adjacent to Pariki cheruvu, without following due process of law. The Hon'ble High Court by hearing the counsel for the respondents was pleased to pass an order in I.A.No.1 of 2021 in W.P.No.28313 of 2021 directing all the respondents in the writ petition not to undertake any construction of STP in the lands of the petitioner in Sy.No.189/1, 190/1 of Moosapet village, Kukatpally mandal, Medchal Malkajgiri district. The copy of the order is enclosed for your perusal.

I, therefore, request you not to make any construction in Sy.No.189/1, 190/1 of Moosapet village, Kukatpally mandal, Medchal Malkajgiri district in accordance with the orders passed by the Hon'ble Court in the above writ petition, otherwise I may take such steps as is necessary for implementation of the orders passed by the Hon'ble Court.

Thanking you,

Yours faithfully,

(Chinthapatta Anil Kumar)



48

Date: 23.11.2021

To  
The Revenue Divisional Officer,  
Medchal Malkajgiri district

Sir,  
Ref: Order in I.A.No.1 of 2021 in W.P.No.28313 of 2021-Reg.

I, Chinthapatta Hanumantha Rao S/o.Venkaiah, R/o.H.No.5-3-113,  
Kukatpally village & mandal, Medchal Malkajgiri district represented by GPAHolder, Ch.Anil  
Kumar, C/o.Ch.Hanumantha Rao submit

That I filed W.P.No.28313 of 2021 questioning the action of the respondents in proposing to construct sewerage treatment plant in the land in Sy.No. 190/1, to an extent of Ac.5.00 gts belongs to the petitioners on the guise of treating the above land as Government land in Sy.No.336/P admeasuring Ac.3.33 gts, situated at Kukatpally village and Ac.1.07 gts in Sy.No.183/2/P and Sy.No.190/2/P, situated at Moosapet village, Kukatpally mandal, Medchal Malkajgiri district, total extent of Ac.5.00 gts, adjacent to Pariki cheruvu, without following due process of law. The Hon'ble High Court by hearing the counsel for the respondents was pleased to pass an order in I.A.No.1 of 2021 in W.P.No.28313 of 2021 directing all the respondents in the writ petition not to undertake any construction of STP in the lands of the petitioner in Sy.No.189/1, 190/1 of Moosapet village, Kukatpally mandal, Medchal Malkajgiri district. The copy of the order is enclosed for your perusal.

I, therefore, request you not to make any construction in Sy.No.189/1, 190/1 of Moosapet village, Kukatpally mandal, Medchal Malkajgiri district in accordance with the orders passed by the Hon'ble Court in the above writ petition, otherwise I may take such steps as is necessary for implementation of the orders passed by the Hon'ble Court.

Thanking you,

Yours faithfully,

(Chinthapatta Anil Kumar)



49

Date: 23.11.2021

To  
The Vice-Chairman Managing Director,  
Hyderabad Metropolitan water supply &  
Sewerage Board,  
Khairatabad, Hyderabad.

Sir,

Ref: Order in I.A.No.1 of 2021 in W.P.No.28313 of 2021-Reg.

I, Chinthapalla Hanumantha Rao S/o.Venkaiah, R/o.H.No.5-3-113,  
Kukatpally village & mandal, Medchal Malkajgiri district represented by GPA  
Holder, Ch.Anil Kumar, S/o.Ch.Hanumantha Rao submit

That I filed W.P.No.28313 of 2021 questioning the action of the respondents in proposing to construct sewerage treatment plant in the land in Sy.No. 190/1, to an extent of Ac.5.00 gts belongs to the petitioners on the guise of treating the above land as Government land in Sy.No.336/P admeasuring Ac.3.33 gts, situated at Kukatpally village and Ac.1.07 gts in Sy.No.183/2/P and Sy.No.190/2/P, situated at Noosapet village, Kukatpally mandal, Medchal Nalkajgiri district, total extent of Ac.5.00 gts, adjacent to Pariki cheruvu, without following due process of law. The Hon'ble High Court by hearing the counsel for the respondents was pleased to pass an order in I.A.No.1 of 2021 in W.P.No.28313 of 2021 directing all the respondents in the writ petition not to undertake any construction of STP in the lands of the petitioner in Sy.No.189/1, 190/1 of Noosapet village, Kukatpally mandal, Medchal Malkajgiri district. The copy of the order is enclosed for your perusal.

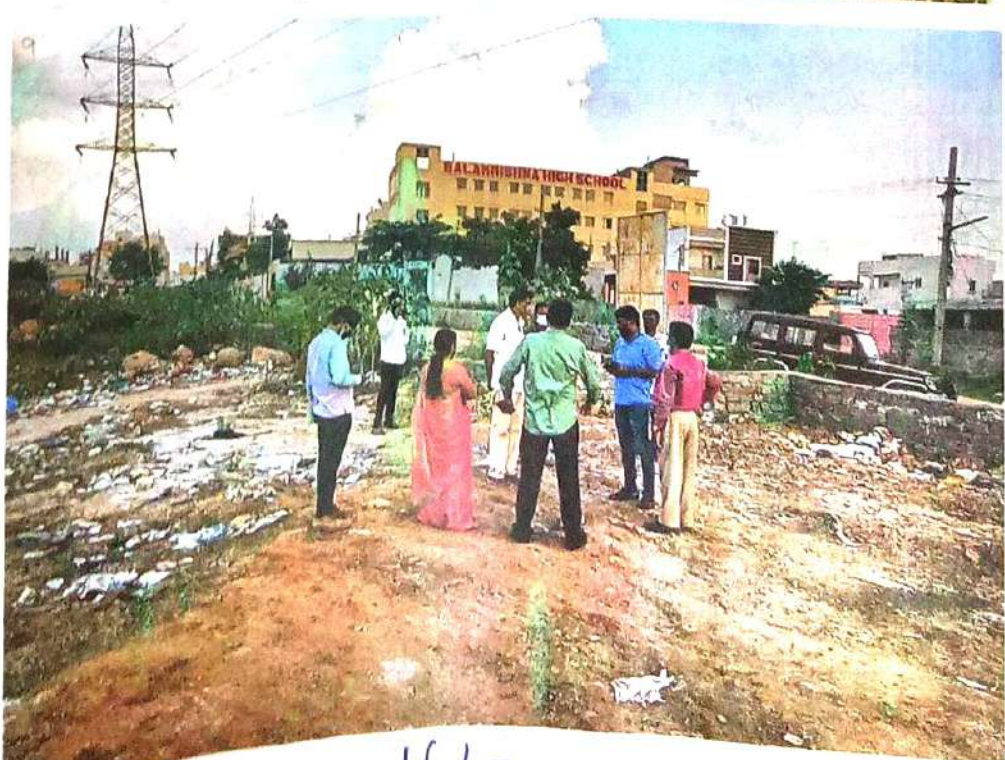
I, therefore, request you not to make any construction in Sy.No.189/1, 190/1 of Moosapet village, Kukatpally mandal, Medchal Malkajgiri district in accordance with the orders passed by the Hon'ble Court in the above writ petition, otherwise I may take such steps as is necessary for implementation of the orders passed by the Hon'ble Court.

Thanking you,

Yours faithfully,

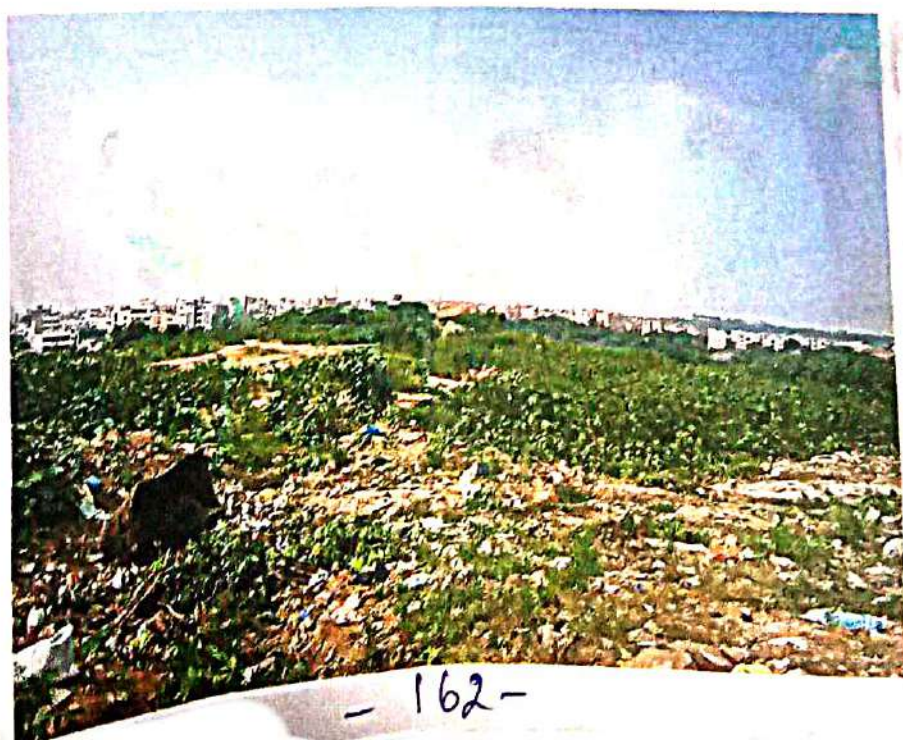
(Chinthapada Anil Kumar)







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IN THE HIGH COURT FOR THE STATE OF TELANGANA  
AT HYDERABAD

C.C. No. 97 of 2022

IN

I.A.No. 1 of 2021

IN

W.P.No.28313 of 2021

Between:

Chinthapatla Hanumantha Rao,  
S/o Ch. Venkaiah, Aged about 82 years,  
Occ: Business, R/o. H.No.5-3-113,  
Kukatpally village and mandal, Medchal Malkajgiri district  
represented by GPA Holder Ch. Anil Kumar,  
S/o Ch. Hanumantha Rao, aged about 54 years,  
Occ: Business, Villa No. 37,  
Devi Stana Venkatrao Nagar,  
Kukatpally, Hyderabad and another.

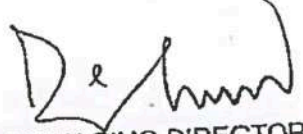
....Petitioners

Sri S. Harish, IAS,  
The District Collector,  
Medchal Malkajgiri District  
At Keesara & 5 Others

..Respondents

**COUNTER AFFIDAVIT FILED BY THE**  
**RESPONDENT No. 4 & 6**

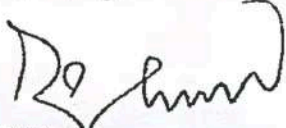
I, Sri M. Dana Kishore, son of Sri M. Mejuri, Aged 54  
years, Resident of Hyderabad, Occupation: Government Service,

  
MANAGING DIRECTOR  
Hyderabad Metropolitan Water  
Supply & Sewerage Board,  
Khairatabad, Hyderabad-4.

working as the Managing Director, Hyderabad Metropolitan Water Supply and Sewerage Board (HMWSSB), Hyderabad, State of Telangana, do hereby sincerely state on oath as follows:-

1. I submit that I am the deponent herein and Respondent No. 4 in C.C. No. 97 of 2022 presently I am working as Managing Director, Hyderabad Metropolitan Water Supply & Sewerage Board and as such I am well acquainted with the facts of the case and competent to file this Counter Affidavit on my behalf and on behalf of Respondent No.6.

2. I humbly submit that in the year 1989, the then Legislature of the State of Andhra Pradesh made an enactment called the Hyderabad Metropolitan Water Supply and Sewerage Act, 1989 (Act 15 of 1989) and came into force from 1.11.1989. Under Section-3 of the Act, the Board by the name Hyderabad Metropolitan Water Supply and Sewerage Board (HMWSSB/Board) was constituted. The Board's main duties are that (a) supply of potable water, including, planning, design, construction, maintenance, operation and management of water supply system; and (b) sewage disposal and sewage treatment

  
MANAGING DIRECTOR  
Hyderabad Metropolitan Water  
Supply & Sewerage Board,  
Khalratabad, Hyderabad-4,

works including planning, design, construction, maintenance, operation and management of all sewerage and sewage treatment works in and around the twin cities of Hyderabad and Secunderabad and surrounding Municipalities and upto ORR. The Board has also been implementing several Schemes in its jurisdiction meant for all categories of people, viz, generally poor, below poverty line, slum dwellers, cluster hutments, public taps, etc., and also undertaken several developmental Schemes, laying of new pipelines, etc., keeping in view the future demand of the twin cities and surrounding municipalities and upto ORR.

3. The Hon'ble High Court has passed the following Interim Order in I.A.No.1 of 2021 in W.P.No.28313 of 2021 on 16-11-2021 as follows:-

*"Written instructions dated 12.11.2021 on behalf of respondent No.5 is placed on record. However, a perusal of the said written instructions would indicate that, while the respondents claim that they are proceeding with the construction of sewerage plant in Sy.No.336 only, but the same does not address the contention of the petitioner that the said Sy.No.336 is situated on the south west of the tank, while Sy. No.190 of the petitioner is on the south east of the tank and more so the said Sy. No.336 where the respondents claim to be constructing the sewerage plant is behind the Sy.No.183 and near the bund of the tank. Thus, the written*

*instructions do not provide any clarity' as to the claim being made by the respondents.*

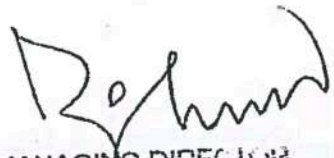
*In view of the above, pending further order, there shall be interim direction not to undertake any construction of STP in the lands of the petitioner in Sy.Nos.189/1, 190/1 of Moosapet village, Kukatpally Mandal, Medchal Malkajgiri District. "*

In compliance of the above Order, the Respondent No.4 has not carried out any work in the said Sy. No.189/1, Sy. No. 190/1 of Moosapet village, Kukatpally Mandal, Medchal Malkajgiri District.

4. In reply to Para - 1, needs no reply.
5. In reply to Para - 2, it is submitted that the Collector, Medhcal-Malkajgiri District vide Proc.No.LC/2067/2021, dated 21-09-2021 has accorded permission to the MD, HMWSSB to utilize the Gov. land in (i) Sy.No.336/P to an extent of Acs.3-33 gts. and <sup>to</sup> extent of Acs.1-07 gts. in Sy.Nos.183/2/P & 190/2 aggregating Ac.5.00 gts., Pariki Cheruvu Shikam situated at Moosapet Village, Kukatpally Mandal for construction of 28 MLD capacity Sewerage Treatment Plant and ancillary units etc., and also directed the Tahsildar, Kukatpally Mandal to hand over the

land to the Respondent No.4. Accordingly, the possession of the land was handed over vide Panchanama dated 28-10-2021 and the HMWSSB has taken up the leveling of site for construction of Sewerage Treatment Plant. The Respondent No.4 herein have utilized the land allotted by the Collector, Medchal-Malkajgiri District. Further, as per Pahani for the year 2015-16, the land in Sy. No. 336/P is recorded as Gairan Sarkari. The Collector, Medchal-Malkajgiri District has discussed in the orders issued that the land in Sy.No.336/P is recorded as Gairan Sarkari and Sy.No.180/2/P & Sy.No.190/2/P are recorded as Pariki Cheruvu Shikam. Accordingly, orders are issued with due procedure for handing over advance possession of the land. The Respondent No.4 has not entered into the land of the Petitioner in Sy.No. 189/1 and 190/1. The Petitioner has been claiming Gairan Sarkari (Government) in Sy. No.336/P, Sy Nos. 183/2/P & 190/2/P of Pariki Cheruvu Shikam with a malafide intention to grab the Government land and filed present Contempt Case.

6. In reply to Para - 3 & 4, it is submitted that the Respondent No.4 has complied with the Orders of the Hon'ble High Court,

  
MANAGING DIRECTOR  
Hyderabad Metropolitan Water  
Supply & Sewerage Board,  
Khalratabad, Hyderabad-4.

dated 16-11-2021 and not carried out any work in Sy.No.189/1 & Sy. No.190/1.

The representation dated 23-11-2021 from the Petitioner has been considered and he has requested the same as averred in Writ Petition and requested not to make any construction in Sy.No.189/1 & Sy. No.190/1 of Moosapet Village for which the Respondent has explained to the Petitioner that the construction is carried out in the Sy.Nos. allotted by the Revenue authorities. As the matter is under subjudice, we have not issued any written communication in respect of his representation.

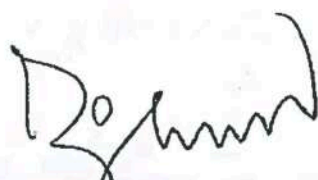
7. In reply to Para – 5, it is submitted that despite our repeated request made to the Petitioner, Petitioner's representative has interfered in the construction work being carried out at the site in Sy.No.336/P, Sy. No.183/2/P & Sy.No.190/2/P. As the representative of the Petitioner was obstructing the work at site, the Respondent No.4 has no other alternative except to file an F.I.R. against the Petitioner which has been registered as Case No. 968 of 2021 and the Police has accordingly taken necessary steps to

advise the Petitioners not to interfere into the government developmental work.

8. In reply to Para – 6, needs no reply.

9. In reply to Para – 7, it is submitted that the allegations made herein are false and as the Petitioner has been unnecessarily interfering and disturbing the work in progress at the site being carried out by the Respondent No.4. The Respondent No.4 has advised the Petitioner not to interfere and disturb the Respondent.

10. In reply to Para – 8, it is submitted that the allegations made by the Petitioner herein that no land exists in Sy.No.336/P, Sy.No. 183/2/P & Sy.No.190/2/P is a false allegation. The Petitioner is taking advantage of his land being situated adjacent to the land belongs to the Respondent No.4 and creating all sorts of nuisance to the officials of the Respondent No. 4 and unnecessarily interfering into the work being carried out by the Respondent for construction of sewerage treatment plant which is meant for the public purpose. The Respondent No.4 has never entered into the land belongs to the Petitioner.

  
MANAGING DIRECTOR  
Hyderabad Metropolitan Water  
Supply & Sewerage Board,  
Kheeratabad, Hyderabad-4.

11. In reply to Para - 9, it is submitted that the allegations made by the Petitioner that the Respondent No.4 has violated the Orders of the Hon'ble High Court dated 16-11-2021 is false and far from truth. The Respondents have not violated the orders of this Hon'ble Court. However, the Respondent No.4 is carrying out the work in the Sy.Nos.336/P, Sy.No.183/2/P and Sy.No. 190/2/P for which the land has been allotted by the Revenue authorities.

12. Reply to Para - 10, it is submitted that the Respondent No.4 is not a party in O.S.No.618 of 2007 which stated to be decreed in favour of the Petitioners. The Respondent is not at all Party in the above O.S.No. nor the subject land mentioned herein is in no way concerned with the Respondent. Thus, the Respondent has never interfered into the lands of the above petitioners nor violated the orders of this Hon'ble Court. ~~However, the Petitioners asked the 5<sup>th</sup>~~ respondent to stop the work till the matter is decided by this Hon'ble Court. //

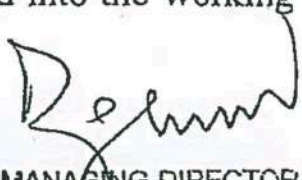
The averments made by the Petitioner that the government land in Sy.No.336 is not located in between the land in Sy.No.190/2 & Sy.No.190/1, Sy.No.189/2 & Sy.No.189/1 and

( )

Sy.No.188/2 & Sy.No.188/1 appears to be false allegations. It is submitted that the Respondent No.4 has proceeded according to allotment of the land made by the Revenue authorities in Sy.No.336/P to the extent of Ac.3.33 gts. and an extent of Ac.1.07 gts. in Sy.No.183/2/P and Sy.No.190/2/P, aggregating Ac.5.00 of land situated at Pariki Cheruvu Shikham situated at Moosapet Village for construction of 28 MLD capacity Sewerage Treatment Plant and Ancillary units.

The Respondent No.4 has never interfered into the land belongs to the Petitioner. However, the Petitioner has been making false allegations and creating lot of nuisance to the Respondent No.4. As the Respondent No.4 has never entered into the lands of the Petitioner as also the lands as mentioned in the Hon'ble High Court Order in Sy.Nos.189/1 & 190/1. Hence, the respondents are not committed any contempt of court orders.

13. It is further submitted that the Petitioners have been obstructing in performing the duties by the Officials of the Respondent No. 6 that one Mr. Potlapalli Bala Krishna (Mobile No. 90105 79775) and another person trespassed into the working

  
MANAGING DIRECTOR  
Hyderabad Metropolitan Water  
Supply & Sewerage Board,  
Khairatabad Hyderabad-4

place and threatened the Respondents to stop the work. It is an unwanton action on the part of the Petitioners/their representatives obstructing the duties of the Government officials, which has been witnessed by Mr. M. Sagar, Site Engineer and Mr. T. Shiva, Supervisor, who are working in the above site.

14. It is submitted that the allegation of the Petitioner not taking action on his Representations, willful, intentional and deliberate is not at all true. This Respondent has highest regard to the Orders of the Hon'ble High Court. This Respondent sincerely tender his unconditional apology to the Hon'ble High Court, as the action taken in this case for compliance of the order of the Hon'ble High Court is official and in terms of the Provisions of HIMWSS Act.

I also further submit that the contempt case filed by the Petitioner U/S. 10 to 12 of the Contempt of Courts against the 4<sup>th</sup> and 6<sup>th</sup> Respondents are not in violation of any provision of the Contempt of Court Act, nor violated the orders of this Hon'ble Court, therefore the contempt case is liable to be dismissed as against these respondents.

( )

It is respectfully submitted that this Respondent has highest regard and respect to the orders of this Hon'ble Court and never violated the Orders of this Hon'ble Court either intentionally, deliberately or wantonly, therefore, the C.C.No. 97 of 2022 filed by the Petitioner is liable to be dismissed against Respondent No.4&6.

15. It is submitted that the intention of the Respondent is bona fide and the action of the Respondent may be exempted and this Hon'ble High Court may please treat the action of Respondent U/s.13(b) of the Contempt of Courts Act, 1971, which reads as follows:-

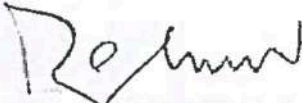
*"13. Contempt's not punishable in certain cases:-  
Notwithstanding anything contained in any law for the time being in force:*

*(b) The Court may permit, in any proceedings for contempt of Court, justification by truth as a valid defense if it is satisfied that it is in public interest and the request for invoking the said defense is bonafide".*

16. In view of the submissions made above, these respondents neither violated the orders of the court passed on 16.11.2021 nor disobeyed, either intentionally or deliberately and strictly adhered

the orders of this Hon'ble Court, therefore the contempt is liable to be closed against these respondents.

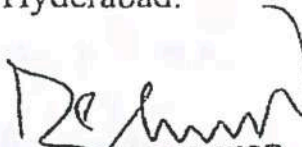
It is therefore prayed that this Hon'ble Court may be pleased to close the contempt proceedings in C.C.No.97 of 2022 as against these respondents and pass such other and further or order deemed fit and proper in the interest of justice.

  
MANAGING DIRECTOR  
Hyderabad Metropolitan Water  
Supply & Sewerage Board,  
Khairatabad, Hyderabad-4.

Sworn and signed before me  
on this the \_\_\_\_ day of April, 2022 at Hyderabad.

### VERIFICATION

I, M. Dana Kishore working as Managing Director of HMWSSB, do hereby verify and declare that the contents of the above Affidavit are true to the best of my knowledge, information, as per official records, legal advice and believe the same to be true, hence verified on this the \_\_\_\_ day of April, 2022 at Hyderabad.

  
MANAGING DIRECTOR  
Hyderabad Metropolitan Water  
Supply & Sewerage Board,  
Khairatabad, Hyderabad-4.

Counsel for the Respondents 4 & 6

ANNEX-V  
16/11/21

[ 3166 ]

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD  
TUESDAY, THE SIXTEENTH DAY OF NOVEMBER TWO THOUSAND AND TWENTY  
ONE

:PRESENT:  
THE HONOURABLE SRI JUSTICE T.VINOD KUMAR

IA No. 1 OF 2021  
IN  
WP NO: 28313 OF 2021

Between:

1. Chinthapalla Hanumantha Rao, S/o.Ch.Venkataiah occ. Business, R/o.H.No.5-3-113, Kukatpally village and mandal Medchal Malkajgiri district represented by GPA Holder Ch.Anil Kumar S/o.Ch.Hanumantha Rao, Occ. Business, Villa No.37, Devi Stana Venkatarao Nagar, Kukatpally, Hyderabad.
2. Chinthapalla Jamuna, W/o.late Chinthapalla Padma Rao.

...Petitioners  
(Petitioners in WP 28313 OF 2021  
on the file of High Court)

AND

1. The State of Telangana, Rep. by its Principal Secretary, Municipal Administration and Urban Development Department, Secretariat, Hyderabad.
2. The District Collector, Medchal Malkajgiri district At Keesara
3. The Revenue Divisional Officer, Malkajgiri division Medchal Malkajgiri district.
4. The Tahsildar, Kukatpally mandal Medchal Malkajgiri district.
5. The Hyderabad Metropolitan Water Supplies and Sewerage Board, Hyderabad, rep. by its Vice-Chairman and Managing Director Khairathabad, Hyderabad.
6. The Mega Engineering and Infrastructures Pvt. Ltd, S-2 Balanagar, Techno Crates Industrial Estates, Andhra Bank Road, Hyderabad, represented by its Managing Director.

...Respondents  
(Respondents in-do)

Counsel for the Petitioners : Sri A PRABHAKAR RAO  
Counsel for the Respondent No.1: GP FOR MCPL ADMN URBAN DEV  
Counsel for the Respondent Nos.2 to 4 : GP for Revenue  
Counsel for the Respondent No.5 : Sri T. Sudhakar Reddy

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 not to construct STP plant in the lands of the petitioner i.e., in Sy.No. 190/1, to an extent of Ac.5.00 gts, which is covered by basement with wooden gale, situated at Moosapet village, Kukatpally mandal, Medchal Malkajgiri district, pending disposal of WP No. 28313 of 2021, on the file of the High Court.

The court while directing issue of notice to the Respondents herein to show cause as to why this application should not be complied with, made the following. (The receipt of this order will be deemed to be the receipt of notice in the case).

ORDER:

Written Instructions dated 12.11.2021 on behalf of respondent No.5 is placed on record. However, a perusal of the said written instructions would indicate that, while the respondents claim that they are proceeding with the construction of sewerage plant in Sy. No.336 only, but the same does not address the contention of the petitioner that the said Sy. No.336 is situated on the south west of the tank, while Sy. No.190 of the petitioner is on the south east of the tank and more so the said Sy. No.336 where the respondents claim to be constructing the sewerage plant is behind the Sy. No.183 and near the bund of the tank. Thus, the written instructions do not provide any clarity as to the claim being made by the respondents.


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11

In view of the above, pending further orders, there shall be interim direction not to undertake any construction of STP in the lands of the petitioner in Sy. Nos. 189/1, 190/1 of Moosapet village, Kukatpally Mandal, Medchal Malkajgiri District.

SD/- LNAGA LAKSHMI  
ASSISTANT REGISTRAR

//TRUE COPY//

  
SECTION OFFICER

To,

1. The Principal Secretary, Municipal Administration and Urban Development Department, State of Telangana, Secretariat, Hyderabad.
2. The District Collector, Medchal Malkajgiri district. At Keesara
3. The Revenue Divisional Officer, Malkajgiri division Medchal Malkajgiri district.
4. The Tahsildar, Kukatpally mandal Medchal Malkajgiri district.
5. The Vice-Chairman and Managing Director, Hyderabad Metropolitan Water Supplies and Sewerage Board, Hyderabad, Khairathabad, Hyderabad.
6. The Managing Director, Mega Engineering and Infrastructures Pvt. Ltd, S-2 Balanagar, Techno Crates Industrial Estates, Andhra Bank Road, Hyderabad. (1 to 6 By RPAD)
7. One CC to SRIIA PRABHAKAR RAO Advocate [OPUC]
8. Two CCs to GP FOR MGPL ADMN & URBAN DEV, High Court at Hyderabad. [OUT]
9. Two CCs to GP FOR Revenue, High Court at Hyderabad. [OUT]
10. One spare copy

mvj

**FORM-I**  
**NOTICE FOR APPEARANCE IN PERSON AFTER ADMISSION**  
**(SEE RULE 18)**  
**IN THE HIGH COURT FOR THE STATE OF TELANGANA**  
**AT HYDERABAD**  
**(Original Jurisdiction)**

FRIDAY, THE ELEVENTH DAY OF MARCH, (11.03.2022),  
TWO THOUSAND AND TWENTY TWO

:PRESENT:

**THE HON'BLE SRI JUSTICE T.VINOD KUMAR**

**CONTEMPT CASE NO. 97 OF 2022**

**Between:**

1. Chinthapatla Hanumantha Rao, S/o. Ch. Venkaiah, R/o. H.No. 5-3-113, Kukatpally Village & Mandal, Medchal Malkajgiri District, represented by GPA Holder CH. Anil Kumar, S/o. Ch. Hanumantha Rao, Villa No. 37, Devi Stana Venkatrao Nagar, Kukatpally, Hyderabad.
2. Chinthapatla Jamuna, W/o. late Chinthapatla Padma Rao, R/o. H.No. Villa No. 48, Devi Stana Venkatrao Nagar, Kukatpally Village & Mandal, Medchal Malkajgiri District.

Petitioners

**AND**

1. Sri S. Harish, IAS, The District Collector, Medchal Malkajgiri District, at Keesara
2. Sri Mallaiiah, The Revenue Divisional Officer, Malkajgiri Division, Medchal Malkajgiri District.
3. Sri R. Govardhan, The Tahsildar, Kukatpally Mandal, Medchal Malkajgiri District.
4. Sri Dana Kishore, Vice-Chairman and Managing Director, The Hyderabad Metropolitan Water Supply & Sewerage Board, Hyderabad.
5. Sri Srinivas Tilak, The Mega Engineering and Infrastructures Pvt. Ltd., S-2 Balamagar, Techno Crates Industrial Estates, Andhra Bank Road, Hyderabad, represented by its Managing Director.
6. G.Srikanth S/o. Narsaiah, occ: Manager (Engg.), Sub-Division-II, Project Division-IV, HMWS & SB, Hyderabad.

Respondents

WHEREAS the petitioners have presented the Contempt Case under Sections 10 to 12 of the Contempt of Courts Act, 1971, through their counsel Sri A.Prabhakar Rao, praying the High Court to take contempt case on its file and issue notice to the respondents and punish them for deliberate and willful violation of the orders of the Hon'ble High Court passed in IA No 1 of 2021 in WP, No. 28313 of 2021, dated 16-11-2021:

Counsel for the Petitioners : SRI A.PRABHAKAR RAO

Counsel for the Respondents No. 4 & 6 : SRI T.SUDHAKAR REDDY

WHEREAS the said case coming on for hearing, and whereas the High Court, upon perusing the affidavit filed therein, made the following:

**ORDER:**

"Sri T. Sudhakar Reddy, learned Standing Counsel appearing for the respondents submits that, pursuant to handing over the land by the revenue authorities under a panchanama, the respondents, in turn, have awarded the contract in favour of the 5<sup>th</sup> respondent to construct an STP plant in the said land and thus it is for the revenue authorities to establish that the land allotted to the HMWS& SS Board is in Sy. No.336 and not in Sy. No.189/1 and 190/1 of Moosapet village, being claimed by the petitioners.

Sri T. Sudhakar Reddy, learned Standing Counsel appearing for respondent Nos.4 and 6 seeks time to file counter.

Issue notice in Form I to respondent Nos.1, 2, 3 and 5 returnable in four weeks.

List on 08.04.2022."

To

1. Sri S. Harish, IAS, District Collector, Medchal Malkajgiri District, at Keesara
2. Sri Malliah, Revenue Divisional Officer, Malkajgiri Division, Medchal Malkajgiri District.
3. Sri R. Govardhan, Tahsildar, Kukatapally Mandal, Medchal Malkajgiri District.
4. Sri Srinivas Tilak, Managing Director, The Mega Engineering and Infrastructures Pvt. Ltd., S-2 Balanagar, Techno Crates Industrial Estates, Andhra Bank Road, Hyderabad.

WHEREAS your attendance is necessary to answer the charge under Sections 10 to 12 of Contempt of Courts Act viz: for deliberate and willful violation of the orders of the Hon'ble High Court passed in IA No.1 of 2021 in WP. No. 28313 of 2021, dated 16-11-2021;

Therefore, you, viz:

1. Sri S. Harish, IAS, District Collector, Medchal Malkajgiri District, at Keesara
2. Sri Malliah, Revenue Divisional Officer, Malkajgiri Division, Medchal Malkajgiri District.
3. Sri R. Govardhan, Tahsildar, Kukatapally Mandal, Medchal Malkajgiri District.
4. Sri Srinivas Tilak, Managing Director, The Mega Engineering and Infrastructures Pvt. Ltd., S-2 Balanagar, Techno Crates Industrial Estates, Andhra Bank Road, Hyderabad.

are hereby required to appear in person before the High Court for the State of Telangana, at Hyderabad on 08.04.2022 at 10.30 a.m and show cause as to why you shall not be punished or other appropriate order be not passed against you for contempt of the orders of the High Court for the State of Telangana, at Hyderabad;

You shall attend the High Court for the State of Telangana, in person on 08.04.2022 at 10.30 a.m. and shall continue to attend the High Court on all days thereafter to which date the case against you stands adjourned, and until final orders are passed on the charge against you.

Herein fail not.

*[Signature]*  
DEPUTY REGISTRAR

To

1. The District Judge, Ranga Reddy District, at L.B. Nagar. (BY SPL. MESSENGER in duplicate along with a copy of petition and affidavit to serve on the Respondents No. 1, 2, 3 & 5 and to return to this Court before 08.04.2022)
2. Sri S. Harish, IAS, District Collector, Medchal Malkajgiri District, at Keesara
3. Sri Mallaiah, Revenue Divisional Officer, Malkajgiri Division, Medchal Malkajgiri District.
4. Sri R. Govardhan, Tahsildar, Kukatpally Mandal, Medchal Malkajgiri District.
5. Sri Srinivas Tilak, Managing Director, The Mega Engineering and Infrastructures Pvt. Ltd., S-2 Balanagar, Techno Crates Industrial Estates, Andhra Bank Road, Hyderabad.  
(Addressees 2 to 6 BY RPAD along with a copy of petition and affidavit)
6. One Spare copy

HIGH COURT

TVK,J

DATE: 11-03-2022

NOTE: LIST ON 08-04-2022

NOTICE TO RESPONDENTS NO. 1, 2, 3 & 5  
FOR APPEARANCE



ORDER

C.C. NO. 97 OF 2022

IN THE HIGH COURT FOR THE STATE OF TELANGANA  
AT HYDERABAD

(Original Jurisdiction)

FRIDAY, THE TWENTY SECOND DAY OF APRIL, (22.04.2022).  
TWO THOUSAND AND TWENTY TWO

:PRESENT:

THE HON'BLE SRI JUSTICE T.VINOD KUMAR

CONTEMPT CASE NO. 97 OF 2022

**Between:**

1. Chinthapatla Hanumantha Rao, S/o. Ch. Venkaiah, R/o. H.No. 5-3-113, Kukatpally Village & Mandal, Medchal Malkajgiri District, represented by GPA Holder CH. Anil Kumar, S/o. Ch. Hanumantha Rao, Villa No. 37, Devi Stana Venkatrao Nagar, Kukatpally, Hyderabad.
2. Chinthapatla Jamuna, W/o. late Chinthapatla Padma Rao, R/o. H.No. Villa No. 48, Devi Stana Venkatrao Nagar, Kukatpally Village & Mandal, Medchal Malkajgiri District.

Petitioners

AND

1. Sri S. Harish, IAS. The District Collector, Medchal Malkajgiri District. at Keesara
2. Sri Mallaiiah, The Revenue Divisional Officer, Malkajgiri Division, Medchal Malkajgiri District.
3. Sri R. Govardhan. The Tahsildar, Kukatpally Mandal, Medchal Malkajgiri District.
4. Sri Dana Kishore. Vice-Chairman and Managing Director, The Hyderabad Metropolitan Water Supply & Sewerage Board, Hyderabad.
5. Sri Srinivas Tilak. The Mega Engineering and Infrastructures Pvt. Ltd., S-2 Balanagar, Techno Crates Industrial Estates, Andhra Bank Road, Hyderabad, represented by its Managing Director.
6. G.Srikanth S/o. Narsaiah, occ: Manager (Engg.), Sub-Division-II, Project Division-IV, HMWS & SB. Hyderabad.

Respondents

WHEREAS the petitioners have presented the Contempt Case under Sections 10 to 12 of the Contempt of Courts Act, 1971, through their counsel Sri A.Prabhakar Rao, praying the High Court to take contempt case on its file and issue notice to the respondents and punish them for deliberate and willful violation of the orders of the Hon'ble High Court passed in IA. No.1 of 2021 in WP. No. 28513 of 2021, dated 16-11-2021:

Counsel for the Petitioners : SRI A.PRABHAKAR RAO

Counsel for the Respondents No. 1 to 3 : SRI B.RAIVINDER

Counsel for the Respondent No. 5 : SRI K.V.SUBBA REDDY

Counsel for the Respondents No. 4 & 6 : SRI T.SUDHAKAR REDDY

WHEREAS the said case coming on for hearing, and whereas the High Court, upon perusing the affidavit filed therein, and the earlier order dated 11-03-2022, made the following;

**ORDER:**

**"Contemnors/respondents 1 to 3 are present before this Court.**

**Despite issuance of notice in Form-1 to 5<sup>th</sup> respondent and the same is served, he is not present before this Court.**

**Issue NBWs to 5<sup>th</sup> respondent returnable by next date of hearing.**

**Counter affidavit of respondents 4 & 6 is filed.**

**Sri B.Ravinder, learned Counsel submits that he has entered appearance on behalf of respondents 1 to 3/Contemnors No.1 to 3 and also filed counter affidavits on their behalf vide USR.No.38138, 38139 and 38140 on 22.04.2022.**

**Registry to verify and put up the counter affidavits in the bundle.**

**The further appearance of 1<sup>st</sup> respondent/Contemnor No.1 alone, is dispensed with.**

**List on 27.04.2022."**

Sd/- K.SRINIVASA RAO  
JOINT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1. The Commissioner of Police, Cyberabad District, Cyberabad. (BY SPL. MESSENGER along with entire material papers)
2. Sri Srinivas Tilak, Managing Director, The Mega Engineering and Infrastructures Pvt. Ltd., S-2 Balanagar, Techno Crates Industrial Estates, Andhra Bank Road, Hyderabad. (BY RPAD along with a copy of petition and affidavit)
3. Two CCs to GP for Revenue, High Court of Telangana, at Hyderabad (OUT)
4. One CC to Sri B. Ravinder, Advocate (OPUC)
5. One CC to Sri A Prabhakar Rao, Advocate (OPUC)
6. One CC to Sri I.Sudhakar Reddy, Advocate (OPUC)
7. One CC to Sri K.V. Subba Reddy, Advocate (OPUC)
8. One Spare copy

HIGH COURT

TVKJ

DATE: 22-04-2022

NOTE: LIST ON 27-04-2022

ORDER

C.C. NO. 97 OF 2022

DISPENSING WITH THE APPEARANCE  
OF THE 1<sup>ST</sup> RESPONDENT

25/4/22

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

WEDNESDAY, THE TWENTY SEVENTH DAY OF APRIL,  
TWO THOUSAND AND TWENTY TWO (27.04.2022)

:PRESENT:  
THE HON'BLE SRI JUSTICE T.VINOD KUMAR

CONTEMPT CASE NO. 97 OF 2022

Between:

1. Chinthapatla Hanumantha Rao, S/o. Ch. Venkaiah, R/o. H.No. 5-3-113, Kukatpally Village & Mandal, Medchal Malkajgiri District, represented by GPA Holder CH. Anil Kumar, S/o. Ch. Hanumantha Rao, Villa No. 37, Devi Stana Venkatrao Nagar, Kukatpally, Hyderabad.
2. Chinthapatla Jamuna, W/o. late Chinthapatla Padma Rao, R/o. H.No. Villa No. 48, Devi Stana Venkatrao Nagar, Kukatpally Village & Mandal, Medchal Malkajgiri District.

Petitioners

AND

1. Sri S. Harish, IAS, The District Collector, Medchal Malkajgiri District, at Keesara
2. Sri Mallaiah, The Revenue Divisional Officer, Malkajgiri Division, Medchal Malkajgiri District.
3. Sri R. Govardhan, The Tahsildar, Kukatpally Mandal, Medchal Malkajgiri District.
4. Sri Dana Kishore, Vice-Chairman and Managing Director, The Hyderabad Metropolitan Water Supply & Sewerage Board, Hyderabad.
5. Sri Srinivas Tilak, The Mega Engineering and Infrastructures Pvt. Ltd., S-2 Balanagar, Techno Crates Industrial Estates, Andhra Bank Road, Hyderabad, represented by its Managing Director.
6. G.Srikanth S/o. Narsaiah, occ: Manager (Engg.), Sub-Division-II, Project Division-IV, HMWS & SB, Hyderabad.

Respondents

WHEREAS the petitioners have presented the Contempt Case under Sections 10 to 12 of the Contempt of Courts Act, 1971, through their counsel Sri A.Prabhakar Rao, praying the High Court to take contempt case on its file and issue notice to the respondents and punish them for deliberate and willful violation of the orders of the Hon'ble High Court passed in IA, No 1 of 2021 in WP, No. 28313 of 2021, dated 16-11-2021:

Counsel for the Petitioners : SRI A.PRABHAKAR RAO

Counsel for the Respondents No. 1 to 3 : SRI B.RAIVINDER

Counsel for the Respondents No. 4 & 6 : SRI T.SUDHAKAR REDDY

Counsel for the Respondent No. 5 : SRI K.V.SUBBA REDDY

WHEREAS the said case coming on for hearing, and whereas the High Court, upon perusing the affidavit filed therein, and the earlier order dated 11-03-2022 & 22-04-2022, made the following:

ORDER:

"Contemnors/respondents 2 and 3 are present in person before this Court.

Insofar as contemnor/respondent 5 is concerned, learned Government Pleader has placed before this Court a letter dt.26.04.2022 issued under the signature of the Vice President – HR of the 5<sup>th</sup> respondent informing that there is no person by name Srinivas Tilak, who worked with the said organization.

Learned counsel for the 5<sup>th</sup> respondent, on being shown the photograph of the person who was on site by the counsel for the petitioner, submits that the said person was previously working as Works Manager and his name is Sri P.V.K.Kalyan Srinivas. Learned counsel for the petitioner submits that, he will take steps to amend the name of the 5<sup>th</sup> respondent in the contempt case.

Pursuant to the direction of this Court, dt.08.04.2022, learned Government Pleader has placed before this Court the Village map of Kukatpally Village.

A perusal of the said map would show that survey Nos.189 and 190 of Moosapet Village are not contiguous to survey No.336, as sought to be contended by the learned Government Pleader on earlier occasion.

Learned Government Pleader, in order to clarify the same, would submit that survey Nos.189 and 190 form part of Moosapet Village, while survey No.336 forms part of Kukatpally Village and he would fairly submit that there is overlapping of survey No.336 into survey No.190 of Moosapet Village and the same needs to be resolved.

However, considering the fact that the petitioner is claiming his land to be in survey Nos.189 and 190, in which the respondents are claiming some part of land in survey No.336 is overlapping, this Court is of the view that in order to resolve the dispute, a direction should be issued to the respondents to conduct a joint survey of survey Nos.189 and 190 of Moosapet and survey No.336 of Kukatpally and demarcate the boundaries of the respective survey numbers with their sub-division of the land acquired by the Government earlier and also identify the extent of land in survey No.336 overlapping into survey No.190 of Moosapet Village. The survey shall be conducted with the help of teapous of the respective survey numbers.

Learned counsel for the petitioner submits that the petitioner is having teapons of survey Nos.183 and 190, where the petitioner's land is situated and he would produce the same if the respondents communicate of non-availability of the said teapons with the said authority for the purpose of conducting the survey.

Further, having regard to the issue involved, this Court is of the view that the respondents are to be directed to make a request to the Commissioner of Settlement to depute a senior authority for the purpose of conducting the aforesaid survey. Upon conducting of joint survey, as directed above after issuing notice to the petitioner, the respondents shall place the report before this Court by the next date of hearing.

List on 17.06.2022."

//TRUE COPY//

Sd/- K.SRINIVASA RAO  
JOINT REGISTRAR

SECTION OFFICER

To

1. Sri S. Harish. IAS, District Collector, Medchal Malkajgiri District, at Keesara
2. Sri Mallalah. Revenue Divisional Officer, Malkajgiri Division, Medchal Malkajgiri District.
3. Sri R. Govardhan, Tahsildar, Kukatpally Mandal, Medchal Malkajgiri District.
4. Sri Dana Kishore. Vice-Chairman and Managing Director, The Hyderabad Metropolitan Water Supply & Sewerage Board, Hyderabad.
5. Sri Srinivas Tilak, Mega Engineering and Infrastructures Pvt. Ltd., S-2 Balanagar, Techno Crates Industrial Estates, Andhra Bank Road, Hyderabad, represented by its Managing Director.
6. G.Srikanth S/o. Narsaiah. occ: Manager (Engg.). Sub-Division-II, Project Division-IV, HMWS & SB, Hyderabad.
7. Two CC's to GP for Revenue, High Court of Telangana, at Hyderabad (OUT)
8. One CC to Sri B. Ravinder. Advocate (OPUC)
9. One CC to Sri A.Prabhakar Rao. Advocate (OPUC)
10. One CC to Sri T.Sudhakar Reddy. Advocate (OPUC)
11. One CC to Sri K.V. Subba Reddy. Advocate (OPUC)
12. One Spare copy

HIGH COURT

TVK,J

DATE: 27-04-2022

NOTE: LIST ON 17-06-2022

ORDER

C.C. NO. 97 OF 2022

DIRECTION

IN THE HIGH COURT FOR THE STATE OF TELANGANA  
AT HYDERABAD

(Original Jurisdiction)

FRIDAY, THE TWENTY NINTH DAY OF JULY,

TWO THOUSAND AND TWENTY TWO (29.07.2022)

:PRESENT:

THE HON'BLE SRI JUSTICE T.VINOD KUMAR

CONTEMPT CASE NO. 97 OF 2022

Between:

1. Chinthapatla Hanumantha Rao, S/o. Ch. Venkaiah, R/o. H.No. 5-3-113, Kukatpally Village & Mandal, Medchal Malkajgiri District, represented by GPA Holder CH. Anil Kumar, S/o. Ch. Hanumantha Rao, Villa No. 37, Devi Stana Venkatrao Nagar, Kukatpally, Hyderabad.
2. Chinthapatla Jamuna, W/o. late Chinthapatla Padma Rao, R/o. H.No. Villa No. 48, Devi Stana Venkatrao Nagar, Kukatpally Village & Mandal, Medchal Malkajgiri District.

Petitioners

AND

1. Sri S. Harish, IAS, The District Collector, Medchal Malkajgiri District, at Keesara
2. Sri Malliah, The Revenue Divisional Officer, Malkajgiri Division, Medchal Malkajgiri District.
3. Sri R. Govardhan, The Tahsildar, Kukatpally Mandal, Medchal Malkajgiri District.
4. Sri Dana Kishore, Vice-Chairman and Managing Director, The Hyderabad Metropolitan Water Supply & Sewerage Board, Hyderabad.
5. Sri Srinivas Tilak, The Mega Engineering and Infrastructures Pvt. Ltd., S-2 Balanagar, Techno Craies Industrial Estates, Andhra Bank Road, Hyderabad, represented by its Managing Director.
6. G.Srikanth S/o. Narsaiah, oec: Manager (Engg.), Sub-Division-II, Project Division-IV, HMWS & SB, Hyderabad.

Respondents

WHEREAS the petitioners have presented the Contempt Case under Sections 10 to 12 of the Contempt of Courts Act, 1971, through their counsel Sri A.Prabhakar Rao, praying the High Court to take contempt case on its file and issue notice to the respondents and punish them for deliberate and willful violation of the orders passed in IA, No.1 of 2021 in WP, No. 28313 of 2021, dated 16-11-2021:

Counsel for the Petitioners : SRI A.PRABHAKAR RAO

Counsel for the Respondents No. 1 to 3 : GOVT. PLEADER FOR REVENUE

Counsel for the Respondents No. 4 & 6 : SRI T.SUDHAKAR REDDY

Counsel for the Respondent No. 5 : SRI K.V.SUBBA REDDY

WHEREAS the case is standing over for hearing, and whereas the High Court, upon perusing the affidavits filed thereto, and the earlier orders dated 13-03-2022, 22-04-2022 & 27-04-2022, made the following order:

ORDER:

"When the matter is taken up today, learned Government Pleader for Revenue has placed before this Court Notice dt.29.06.2022, whereby the parties concerned were informed of conduct of spot inspection on 07.07.2022 and 08.07.2022 at 11.00 a.m.

Learned Government Pleader would further submit that on the said day, inspection was carried out by the Regional Deputy Director, Survey & Land Records, Hyderabad, of the said survey Nos. 189 & 190 of Moosapet Village and 336 of Kukatpally village and seek time to place the report of the said Survey before this Court.

Learned counsel appearing for the petitioner submits that this Court by order dt.24.06.2022, taking note of the submissions made by the learned Government Pleader, directed survey of the said land in survey Nos. 183/2/P and 190/2/P of Moosapet Village along with Sy.No.336 of Kukatpally village. However, the respondents did not take up survey of land in Sy.No.183/2/P of Moosapet Village and only conducted joint survey of land in Sy.No.189 and 190 of Moosapet Village and 336 of Kukatpally village.

Copy of the notice dt.24.06.2022, as produced by the learned Government Pleader for Revenue, does not indicate conduct of survey of land in survey No.183/2/P of Moosapet Village, even though the said survey number is mentioned in the proceedings, dt.24.06.2022.

The respondents are, therefore, required to conduct survey in respect of land in the said survey number also, if not already conducted.

List on 18.05.2022 at 11.15 a.m.

The presence of the 2<sup>nd</sup> respondent is dispensed with until further orders."

Sd/- CH. VENKATESWARLU  
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1. Sri S. Harish, IAS, District Collector, Medchal Malkajgiri District, at Keesara
2. Sri Malliah, Revenue Divisional Officer, Malkajgiri Division, Medchal Malkajgiri District.
3. Sri R. Govardhan, Tahsildar, Kukatpally Mandal, Medchal Malkajgiri District.
4. Sri Dana Kishore, Vice-Chairman and Managing Director, The Hyderabad Metropolitan Water Supply & Sewerage Board, Hyderabad.
5. Sri Srinivas Tilak, Managing Director, Mega Engineering and Infrastructures Pvt. Ltd., S-2 Balanagar, Techno Crates Industrial Estates, Andhra Bank Road, Hyderabad.
6. G.Srikanth S/o. Narsaiah, occ: Manager (Engg.), Sub-Division-II, Project Division-IV, HMWS & SB, Hyderabad. (Addressees 1 to 6 BY RPAID)
7. Two CCs to GP for Revenue, High Court of Telangana, at Hyderabad (OUT)
8. One CC to Sri A.Prabhakar Rao, Advocate (OPUC)
9. One CC to Sri T Sudhakar Reddy, Advocate (OPUC)
10. One CC to Sri K.V. Subba Reddy, Advocate (OPUC)
11. One Spare copy

HIGH COURT

TVKJ

DATE: 29-07-2022

NOTE: LIST ON 18-08-2022 at 1.15 p.m.

ORDER

C.C. NO. 97 OF 2022

DIRECTION

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

FRIDAY, THE TWENTY FIRST DAY OF JULY,  
TWO THOUSAND AND TWENTY THREE (21.07.2023)

:PRESENT:

THE HON'BLE SRI JUSTICE T.VINOD KUMAR

CONTEMPT CASE NO. 97 OF 2022

Between:

1. Chinthapatla Hanumantha Rao, S/o. Ch. Venkaiiah. R/o. H.No. 53 113, Kukatpally Village & Mandal, Medchal Malkajgiri District, represented by GPA Holder CH. Anil Kumar, S/o. Ch. Hanumantha Rao, Villa No. 37, Devi Stana Venkatrao Nagar, Kukatpally, Hyderabad.
2. Chinthapatla Jamuna. W/o. late Chinthapatla Padma Rao. R/o. H.No. Villa No. 48, Devi Stana Venkatrao Nagar, Kukatpally Village & Mandal, Medchal Malkajgiri District.

Petitioners

AND

1. Sri S. Harish, IAS, The District Collector, Medchal Malkajgiri District, at Keesara
2. Sri Mallaiah, The Revenue Divisional Officer, Malkajgiri Division, Medchal Malkajgiri District.
3. Sri R. Govardhan, The Tahsildar, Kukatpally Mandal, Medchal Malkajgiri District.
4. Sri Dana Kishore, Vice-Chairman and Managing Director, The Hyderabad Metropolitan Water Supply & Sewerage Board, Hyderabad.
5. Sri Srinivas Tilak, The Mega Engineering and Infrastructures Pvt. Ltd., S-2 Balanagar, Techno Crates Industrial Estates, Andhra Bank Road, Hyderabad, represented by its Managing Director.
6. G.Srikanth S/o. Narsaiah, occ: Manager (Engg.), Sub-Division-II, Project Division-IV, HMWS & SB, Hyderabad.

Respondents

WHEREAS the petitioners have presented the Contempt Case under Sections 10 to 12 of the Contempt of Courts Act, 1971, through their counsel Sri A.Prabhakar Rao, praying the High Court to take contempt case on its file and issue notice to the respondents and punish them for deliberate and willful violation of the orders passed in IA No.1 of 2021 in WP. No. 28313 of 2021, dated 16-11-2021;

Counsel for the Petitioners : SRI A.PRABHAKAR RAO

Counsel for the Respondents No. 1 to 3 : GOVT. PLEADER FOR REVENUE

Counsel for the Respondents No. 4 & 6 : ASST. GOVT. PLEADER REP. THE OFFICE OF THE ADVOCATE GENERAL

Counsel for the Respondent No. 5 : SRI K.V.SUBBA REDDY

WHEREAS the said case coming on for hearing, and whereas the High Court, upon perusing the affidavit filed therein, and the earlier orders dated 11-03-2022, 22-04-2022, 27.04.2022 & 29-7-2022, made the following;

**ORDER:**

"Learned counsel appearing on behalf of the petitioner submits that he is filing objections to the survey conducted by the Regional Deputy Director of Survey and Land Records, Hyderabad, on 24<sup>th</sup> and 25<sup>th</sup> of March, 2023, today into the Registry.

Counsel for petitioner is directed to serve a copy of the objections to the counsel appearing for the respondents and also to the learned AGP representing the Office of the Advocate General to enable him to get instructions in the matter.

List on 04-08-2023."

SD/- K. SHYLECH!  
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1. Two CCs to Advocate General, High Court of Telangana, at Hyderabad (OUT)
2. Two CCs to GP for Revenue, High Court of Telangana, at Hyderabad (OUT)
3. One CC to Sri A.Prabhakar Rao, Advocate (OPUC)
4. One CC to Sri T.Sudhakar Reddy, Advocate (OPUC)
5. One CC to Sri K.V. Subba Reddy, Advocate (OPUC)
6. One Spare copy

HIGH COURT

TVK,J

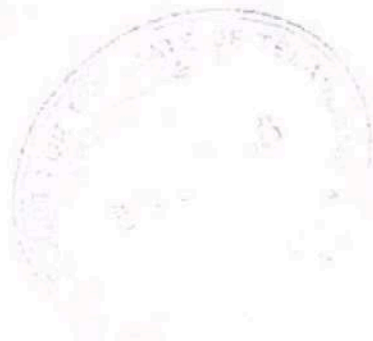
DATE: 21-07-2023

NOTE: LIST ON 04-8-2023

ORDER

C.C. NO. 97 OF 2022

DIRECTION



IN THE HIGH COURT FOR THE STATE OF TELANGANA  
AT HYDERABAD

(Original Jurisdiction)

THURSDAY, THE FIRST DAY OF FEBRUARY,  
TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HON'BLE SRI JUSTICE T.VINOD KUMAR

CONTEMPT CASE NO. 97 OF 2022 *along with WP No. 28313 of 2021*

Between:

1. Chinthapatla Hanumantha Rao, S/o. Ch. Venkaiah, R/o. H.No. 5-3-113, Kukatpally Village & Mandal, Medchal Malkajgiri District, represented by GPA Holder CH. Anil Kumar, S/o. Ch. Hanumantha Rao, Villa No. 37, Devi Stana Venkatrao Nagar, Kukatpally, Hyderabad.
2. Chinthapatla Jamuna, W/o. late Chinthapatla Padma Rao, R/o. H.No. Villa No. 48, Devi Stana Venkatrao Nagar, Kukatpally Village & Mandal, Medchal Malkajgiri District.

Petitioners

AND

1. Sri S. Harish, IAS, The District Collector, Medchal Malkajgiri District, at Keesara
2. Sri Mallaiah, The Revenue Divisional Officer, Malkajgiri Division, Medchal Malkajgiri District.
3. Sri R. Govardhan, The Tahsildar, Kukatpally Mandal, Medchal Malkajgiri District.
4. Sri Dana Kishore, Vice-Chairman and Managing Director, The Hyderabad Metropolitan Water Supply & Sewerage Board, Hyderabad.
5. Sri Srinivas Tilak, The Mega Engineering and Infrastructures Pvt. Ltd., S-2 Balanagar, Techno Crates Industrial Estates, Andhra Bank Road, Hyderabad, represented by its Managing Director.
6. G.Srikanth S/o. Narsaiah, occ: Manager (Engg.), Sub-Division-II, Project Division-IV, HMWS & SB, Hyderabad.

Respondents

WHEREAS the petitioners have presented the Contempt Case under Sections 10 to 12 of the Contempt of Courts Act, 1971, through their counsel Sri A.Prabhakar Rao, praying the High Court to take contempt case on its file and issue notice to the respondents and punish them for deliberate and willful violation of the orders passed in IA. No.1 of 2021 in WP. No. 28313 of 2021, dated 16-11-2021:

Counsel for the Petitioners : SRI A.PRABHAKAR RAO

Counsel for the Respondents No. 1 to 3 : GOVT. PLEADER FOR REVENUE

Counsel for the Respondents No. 4 & 6 : SRI G.NARENDER REDDY, Standing Counsel for HMWS & SB

Counsel for the Respondent No. 5 : SRI K.V.SUBBA REDDY

WHEREAS the said case coming on for hearing, and whereas the High Court, upon perusing the affidavit filed therein, and the earlier orders dated 11-03-2022, 22-04-2022, 27.04.2022, 29-07-2022, 21-07-2023, made the following;

**ORDER:**

Sri G.V. Maheswara Rao, Deputy Director, Office of Multi Zone -II, Commissioner, Survey and Land Record and the then Regional Deputy Director, Hyderabad present, and had shown the village map of Kukatpally and Moosapet and would submit that there is an overlap between the village boundaries.

It is also to be seen that the Assistant Director, Survey and Land Records, Ranga Reddy District, at an earlier point of time, had submitted a joint inspection report regarding the boundary dispute in respect of Sy. Nos.187 to 190 of Moosapet village of Balanagar Mandal and Sy.No.348/1 of Qutubullahpur village and Mandal, wherein it has been stated that there is an overlapping area between the village boundaries, and as per the CCLA circular No.S1/1009/2011 dated 18-05-2011, the resolution of village boundary dispute should be dealt with under Section 90 and 91 of the AP (TA) LT Act, 1317 Fasli.

Admittedly, the said report furnished is pending consideration before the CCLA Authority for its consideration and no action has been taken in spite of nearly a decade having been passed by.

This Court, by taking note of the aforesaid aspect, by order dated 16-11-2021 in I.A.No.1 of 2021 in W.P.No.28313 of 2021 restrained the respondent authority from undertaking construction of STP in the lands of the petitioners in Sy.Nos.189/1, 190/1 of Moosapet village, Kukatpalli Mandal, Medchal-Malkajgiri District, since it is contended that the 5<sup>th</sup> respondent Authority was proceeding with the construction of STP claiming that the lands in Sy.No.346 of Kukatpally and Sy.Nos.183 and 190 of Moosapet village have been allotted by the 2<sup>nd</sup> respondent authority for the aforesaid purpose.

However, as per the report submitted by the Assistant Director to the CCLA Authority clearly indicates overlapping of boundaries between the two villages. Thus, it would appropriate for the CCLA to finalize and take action on the report submitted by the Assistant Director, Survey and Land Records, Ranga Reddy District in the year 2014 or in the alternative, the respondent authorities may explore the possibility of acquiring the land of the petitioners by initiating appropriate proceedings under the Right to Fair

Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 for construction of Sewerage Treatment Plant (STP).

List the matter in usual course.

Liberty is granted to make a mention in the case of respondent authorities finding a resolution to the issue.

//TRUE COPY//

Sd/- K.SHYLESMI  
DEPUTY REGISTRAR

SECTION OFFICER

To

1. Sri S. Harish, IAS, District Collector, Medchal Malkajgiri District, at Keesara
2. Sri Mallaiah, Revenue Divisional Officer, Malkajgiri Division, Medchal Malkajgiri District.
3. Sri R. Govardhan, Tahsildar, Kukatpally Mandal, Medchal Malkajgiri District.
4. Sri Dana Kishore, Vice-Chairman and Managing Director, The Hyderabad Metropolitan Water Supply & Sewerage Board, Hyderabad.
5. Sri Srinivas Tilak, Managing Director, Mega Engineering and Infrastructures Pvt. Ltd., S-2 Balanagar, Techno Crates Industrial Estates, Andhra Bank Road, Hyderabad.
6. G.Srikanth S/o. Narsaiah, occ: Manager (Engg.), Sub-Division-II, Project Division-IV, HMWS & SB, Hyderabad. (Addressees 1 to 6 BY RPAD)
7. Two CCs to GP for Revenue, High Court of Telangana, at Hyderabad (OUT)
8. One CC to Sri A.Prabhakar Rao, Advocate (OPUC)
9. One CC to Sri G.Narender Reddy, Standing Counsel for HMWS & SB (OPUC)
10. One CC to Sri K.V. Subba Reddy, Advocate (OPUC)
11. One Spare copy

HIGH COURT

TVK,J

DATE: 01-02-2024

ORDER

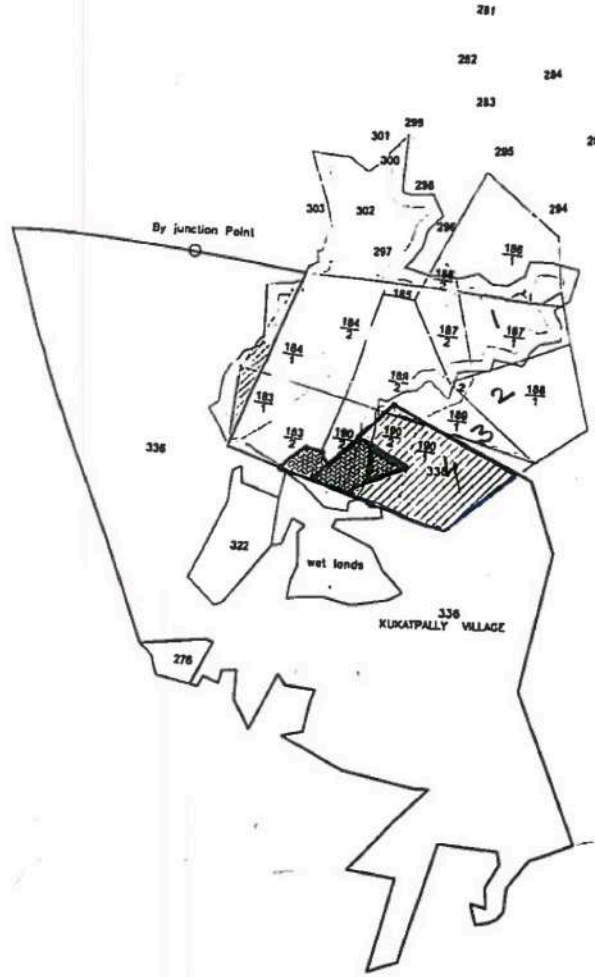
C.C. NO. 97 OF 2022

DIRECTION

LOCATION SKETCH SHOWING SY.NO'S. 183,189 & 190 OF MOOSAPET (V) AND SY.NO.336 OF KUKATPALLY(V)  
 &  
 OVERLAPPING SKETCH OF SY.NO.336 OF KUKATPALLY WITH SY.NO.190 OF MOOSAPET(V).



FILE NO. ASI/41/2021.  
 Ref : HON'BLE HIGH COURT ORDERS VIDE CC.NO.97 OF 2022  
 IN WP NO.28313 OF 2021. dt : 27/04/2022 & 29/07/2022.



LEGEND

- STP
- PETITIONER CLAIM
- OVER LAPPING

INDEX

S.L.No.	DETAILS	MARK
1.	MOOSAPET VILLAGE	<span style="border: 1px solid black; display: inline-block; width: 20px; height: 10px;"></span>
2.	OUTHBULLAPUR VILLAGE	<span style="border: 1px solid black; display: inline-block; width: 20px; height: 10px;"></span>
3.	KUKATPALLY VILLAGE	<span style="border: 1px solid black; display: inline-block; width: 20px; height: 10px;"></span>
4.	GAJULARAMARAM VILLAGE	<span style="border: 1px solid black; display: inline-block; width: 20px; height: 10px;"></span>
5.	ALLOTTED TO STP TO AN EXTENT OF Ac 3 - 33 Gls IN SY.NO. 336 OF KUKATPALLY (V) & Ac 1 - 07 Gls IN SY-NO'S:- 183/2/P,190/2/P OF MOOSAPET (V)	<span style="background-color: #cccccc; display: inline-block; width: 20px; height: 10px;"></span>
6.	OVERLAPPING OF SY-NO: 336 KUKATPALLY WITH SY-NO'S : 183, 184 & 190 OF MOOSAPET (V)	<span style="background: repeating-linear-gradient(45deg, transparent, transparent 2px, black 2px, black 4px); display: inline-block; width: 20px; height: 10px;"></span>
7.	F T L BOUNDARY	<span style="border-bottom: 1px dashed black; display: inline-block; width: 20px;"></span>
8.	BUFFER ZONE BOUNDARY	<span style="border-bottom: 1px solid black; display: inline-block; width: 20px;"></span>

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D.O Letter No. 4814/2020/296/3890

Date: 10.09.2024.

Dear Sir,

- Sub- HIMWSSB-Estate Wing-Pariki Cheruvu STP land dispute situated at Moosapet Village. Kukatpally Mandal CC No. 97/2022 in WP No. 28313/2021 filed by Sri Chinthapatta Hanumantha Rao against Government Agencies in the Hon'ble High Court - Hon'ble High Court Order dated 01.02.2024 Expedite to resolve the dispute Req - Reg.
- Ref- 1) The Collector, Medchal-Malkajgiri District Proc No.LC/2067/2021 Dated 21.09.2021.
- 2) Orders of the Hon'ble High Court dated 27.04.2022 in CC No. 97 of 2022.
- 3) RC No.F1/1005/2022, dt. 16.06.2022 from the Commissioner & Director, SS&LR, TS, Hyderabad.
- 4) Report (Survey) of the Regional Dy. Director, O/o. SS&LR on 27.10.2022.
- 5) Report (Survey) of the Regional Dy. Director, O/o. SS&LR on 18.04.2023.
- 6) Lr. to CCLA No.MWSSB/Estate Wing/MD/CC. No 97 of 2022/2024, dated' 02.04.2024

I am to inform that the Collector, Medchal-Malkajgiri District vide Proc. No.LC/2067/2021, dated 21.09.2021 (copy enclosed), in pursuance to requisition filed by the HMWSSB, has allotted land to HMWSSB in Sy.Nos. 183/2, 190/2 (Ac.1.07 Gts) and Sy.No.336 (Ac. 3.33 Gts) aggregating Ac. 5.00 Gts for construction of 28 MLD Capacity Sewerage Treatment Plant, (STP), ancillary units, etc. Accordingly, the subject land has been handed over vide Panchanama dated 28.10.2021 (copy enclosed) and the HMWSSB has taken up the work at site for construction of STP.

2. As the matter stood, one Sri Chintapatta Hanumantha Rao who is the owner of the adjacent lands, i.e., Sy.No. 183/1, 190/1, etc to the extent of about Ac 4.00 Gts of land has filed a WP No. 28313/2021 during July-August 2021 before Hon'ble High Court of Telangana. The Hon'ble High Court has passed Interim directions in IA No. 1 of 2021 in WP No.28313 of 2021 on 16.11.2021 (copy enclosed) as follows:

".....Not to undertake any construction of STP in the lands of the Petitioner in S.No. 1891, 190-1 of Moosapet Village".

3. The Orders of the Hon'ble High Court have been complied by this office. However, the Petitioner herein has filed a Contempt Case No 97/2022 claiming the violation of orders passed by the Hon'ble High Court in IA No. 1/2021 in WP No.28313/2021 dated 16.11.2021, where the Hon'ble High Court has passed for the orders dated 27.04.2022 (Copy enclosed) as under:

"...This court is of the view that the respondents are to be directed to make a request to the Commissioner of Settlement to depute a Senior authority for the purpose of conducting the aforesaid survey, upon conducting of joint survey, as directed above after issuing notice to the Petitioner, the Respondents shall place the Report before this court by the next hearing date i.e, on 17.06.2022".

Water is Precious, Every Drop Counts

Khairatabad, Hyderabad - 500 004, Telangana State, India Tel : + 91-40-23442844

4. In compliance with the above orders of the Hon'ble High Court, the Collector, Medchal- Malkajgiri District vide Lr.No.LC/2067/2021, dated 25.05.2022 has requested the Commissioner & Director. SS&LR. Narayanguda, Hyderabad to conduct Survey in Sy.Nos. 336 of Kukatpally Village and Sy.Nos. 183/2/p and 190/2/p situated at Moosapet Village of Kukatpally Mandal, so as to submit the Survey Report before the Hon'ble High Court at the next date of hearing, so as to enable us to get the Stay Order vacated and take up the construction of STP in the subject lands. Accordingly, the Regional Deputy Director. Survey & Land Records, Hyderabad conducted the survey of subject lands and submitted Reports vide reference 4 & 5 cited.

The above Surveys have been necessitated by Hon'ble High Court directions as there observed to be overlapping of lands of the owner and HMWSSB. In the process, the 1<sup>st</sup> Survey, 2<sup>nd</sup> Survey and 3<sup>d</sup> Survey (by RDD) have been conducted and Survey Reports have confirmed that there is over-lapping of lands between Petitioner's Sy.Nos. of 183/1 & 190/1 with HMWSSB's Sy. Nos. 183/2 & 190/2 (Ac. 1.07 Gts).

5. The Hon'ble High Court has after considering the RDD's Survey Report has passed the following order in CC/97/2022 dated 01.02.2024 as follows:-

*".....Sri G.V.Maheswara Rao, Deputy Director, Office of Multi Zone II. Commissioner. Survey and Land Record and the then Regional Deputy Director, Hyderabad present, and had shown the village map of Kukatpally and Moosapet and would submit that there is an overlap between the Village boundaries.*

*It is also to be seen that the Assistant Director, Survey and Land Records, Ranga Reddy District, at an earlier point of time, had submitted a joint inspection Report regarding the boundary dispute in respect of Sy. Nos. 187 to 190 of Moosapet village of Balanagar Mandal and Sy. No. 348/of Qutubullahpur village and Mandal, wherein it has been stated that there is an overlapping area between the village boundaries, and as per the CCLA circular No. 51/1009/2011 dated 18-05-2011, the resolution of village boundary dispute should be dealt with under Section 90 and 91 of the AP (TA) LT Act. 1317 Fasl.*

*Admittedly, the said Report furnished is pending consideration before the CCLA Authority for its consideration and no action has been taken in spite of nearly a decade having been passed by".*

*This Court by taking note of the aforesaid aspect by order dated 16-11-2021 in LA.No.1 of 2021 in W.P.No. 28313 of 2021 restrained the respondent authority from undertaking construction of STP in the lands of the petitioners in Sy Nos 189/1,190/1 of Moosapet Village. Kukatpally Mandal, Medchal-Malkajgiri District. since it is contended that the 5 respondent Authority was proceeding with the construction of STP claiming that the lands in Sy No. 336 of Kukatpally and Sy. Nos. 183 and 190 of Moosapet village has been allotted by the 2 respondent authorities for the aforesaid purpose.*

*However, as per the Report submitted by the Assistant Director to the CCLA Authority clearly indicates overlapping of boundaries between the two villages. Thus, it would appropriate for the CCLA to finalize and take action on the Report submitted by the Assistant Director, Survey and Land Records, Ranga Reddy District in the year 2014 or in the alternative, the respondent authorities may explore the possibility of acquiring the land of the petitioners by initiating appropriate proceedings under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 for construction of Sewerage Treatment Plant (STP).*

List the matter in usual course.

Liberty is granted to make a mention in the case of respondent authorities finding a resolution to the issue...."

6. It may be observed from the above Interim Order as per Para 2 and 5, the following options have been suggested:-

- (i) Over-lapping of the Sy. Nos. 183/2 & 190/2 has been identified by the Revenue Department in the year 2014 and such matter has been referred to CCLA, but no decision is taken in spite of nearly a decade passed by.
- (ii) HMWSSB may explore the possibility to acquire the land of the Petitioner by initiating the appropriate proceedings under Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 for construction of STP.

7. HMWSSB has examined the entire issue taking into consideration the directions of the Hon'ble High Court (matter before the Hon'ble High Court), while keeping in view the urgent requirement of the land that the first option as per the Para 6(i) above has been suggested by the Competent Authority of HMWSSB. That the issue of over-lapping.

8. HMWSSB has also examined the second option given above to acquire the land of the Petitioner to the extent of Ac. 1.07 Gts in Sy.No:183/2 and 190/2. But this option may not be feasible in view of the said land was already acquired by the Revenue Department from the Petitioner herein and allotted to HMWSSB

9. We hereby request the District Collector to expedite the decision in respect of dispute of over-lapping as explained above in view of reference made to you during the year 2014, at the earliest so that we will be able to restart the construction of proposed STP of 28 MLD at Pariki Cheruvu. We would also like to inform that there is urgency in construction of the above STP both from the point of view of treating erratic flow of sewer in the surrounding areas as also to adhere to the time line fixed by the Hon'ble National Green Tribunal, Principle Bench, New Delhi. vide its order dated 29.09.2022 in OA No.606/2018.

We solicit early action in the matter.

With regards.

Yours faithfully,

  
10/09/24  
Managing Director

Encls: As above (List of Enclosures)

To  
Shri Gowtham Potru, IAS  
Collector, Medchal -Malakjiri District,  
Medchal-Malakjiri Integrated District Collector Office,  
Godumakunta, Secunderabad - 501 301.