

Dt 30-11-2005

OPINION RELATING TO LANDS IN SY.NO. 19 MALLAPUR VILLAGE
UPPAL MANDAL, RANGA REDDY DISTRICT BELONGING TO
SRI VENKAT RAMA RAO.

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I] Perused the Xerox copies of the following documents:

- 1] Khasra Pahani for the year 1954-55.
- 2] Chesala Pahani for the year 1955-58
- 3] Pahanis for the year 1960-61, 1965-66, 1970-71, 1980-81, 1985-86, 1990-91, 1995-96, 1998-99, 1999-00, 2000-01,
- 4] Record of Rights
- 5] Mutation orders dated 18.5.1994 in proceedings No. ROR/Rectification/6/94
- 6] Panchanama along with Plan.
- 7] Memorandum of Partition dated 25.3.1981.
- 8] Orders passed by Land Reforms Tribunal, Hyderabad East Division in CC No.2253/E/75 dated 30-10-1976
- 9] Orders passed in Op No.250/1971.
- 10] Notice under Sec. 9[3] and [10] of Land Acquisition Act.
- 11] Land Use Certificate dated 7.11.2005 issued by HUDA.
- 12] Memo dated 10-11-2005 in File No. 266 of 2005 issued by MRO, Uppal Mandal.

II] FLOW OF TITLE

As seen from the Khasra Pahani for the year 1954-55 and Chesala Pahani for the year 1955 to 58, and Pahani for the year 1960-61, Sri Venkata Narasimha Rao, is recorded as Pattedar and possessor in respect of land admeasuring Ac. 15.30 gts. in Sy.No.19 of Mallapur Village, Uppal Mandal,. Ranga Reddy Dist. The Pahanis for the years 1965-66, 1970-71, 1980-81, show the name of Sri Venkat Ramarao is recorded as Pattedar and possessor in respect of land admeasuring Ac.15.30 gts. in Sy.no.19 of Mallapur Village. As seen from the Pahanis for the years 1985-86, 1990-91, 1995-96, 1998-99, 1999-00, 2000-01, the name of Sri Venkata Ramarao is recorded as Pattedar and Possessor in respect of land admeasuring Ac. 12.13 gts. and Railways as Ac.2.18 gts. and road as Ac. 0-39 gts.

As seen from the memo issued by the M.R.O. Uppal dated 10-11-2005 in file No. CC No./266/2005 it is stated about non-availability of PT register of Mallapur village in the office of MRO Uppal. However, as seen from the Khasra and Chesala pahani, there is no entry in possessors' column. Hence there does not appear any third party in possession of the proerty. As seen from the ROR Sri Venkataramarao's name has been recorded as Pattedar and possessor in respect of Ac.12.13 gts. and Railways as Ac.2.13 gts. and Industries[Road] as Ac.0.39 gts.

As per the Letter issued by HUDA 7.11-2005, Sy.No.19 is partly converted dry agriculture, major part as transportation [Railways property] ,minor part 30 meters wide road Railway Lines Passage;

As seen from the Panchanama and the Plan dated 24.12.1999, the lands in Sy.No.19 was surveyed and boundaries were fixed by fixing survey stones.

Sri Venkata Ramarao has filed declaration under the Agrl. Land Ceiling Act in CC No.2253/E/75 for this land and also for other survey numbers. The Land Reforms Tribunal has passed orders on 30-10-1976 holding the declarant is holding surplus land to an extent of Ac. 0.4510 . Pursuant thereto, the declarant has surrendered lands in Sy.No.103 and 104, 105,169,171 and 172 of Mallapur Village and Sy.No.112, 234 of Kistareddypet Village Sangareddy,Medak and the land Reforms Tribunal has accepted the same vide order s dat. 27.1.1977.

The Government of A.P. has issued a notice under Sec. 9[3] and 10 of Land Acquisition Act to Venkat Ramarao for acquiring lands in Sy.No. 19 of Mallapur Vilalge.

As seen from the orders passed in O.P.No.250 of 1971 dated 7.3.1975 passed by the Addl. Judge, CCC,Hyderabad land admeasuring Ac.0.39 gts. in Sy.No.19 of Mallapur Village was acquired by the Government for laying a Road from Sri Venkata Rama Rao and compensation was paid to him.

As seen from the Memorandum of Partition, dated 25-3-1981, the properties was partitioned among the family members of Venkat Rama Rao. The preamble of the said document that the partition was effected bymetes and bounded on 20-1-1981 and the document was executed on 25-3-1981. In the said partition of 20-1-1981, lands in Sy.No.19, admeasuring Ac. 12.13 gts. have fallen to the share of Venkata Ramarao S/o.late Venkata Narasimha Rao. Therefore, the said document can be treated as Memorandum of Past Partition. The said document did not require registration or stamp duty as on that date and as such can be looked into.

III] OPINION:

Based on the above record, we are of the opinion that Sri Venkata Ramarao has got a good marketable title in respect of land admeasuring Ac. 12.13 gts. in Sy.No.19 of Mallapur Village, Uppal Mandal, R.R. District.


SUNIL B GANU