

IN THE COURT OF THE RR.1st ADDL. SENIOR CIVIL JUDGE:R.R.DIST.

AT L.B.NAGAR

O.S.No. 895 of 2004

Between:-

K.Shankar Goud s/o. K.Rajaiah, aged  
about 46 yrs, Occ: Business, r/o.  
Cherlapally village, Ghatkesar Mandal,  
Ranga Reddy Dist.

... Petitioner/Plaintiff

And

1. The Hyderabad Urban Development  
Authority, rep.by its Vice-Chairman  
Paigha Plaza, Begumpet, Hyderabad.
2. The Commissioner,  
Kapra Municipality,  
Ranga Reddy Dist.

... Respondents/Defendants

MEMO FILED ON BEHALF OF THE PETITIONER/PLAINTIFF

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It is submitted that the Petitioner/Plaintiff herein  
~~xxxxx~~ has filed the above suit against the Respondents/Defendants  
before this Hon'ble court in respect of the suit schedule  
property and the matter has settled out of the court and the  
Petitioner/Plaintiff herein is intending to withdraw the above  
suit against the Respondents/Defendants as not pressed.

Hence this Memo.

*New*  
*26/8*

L.B.Nagar

Dt: 25-8-2004

*mp*  
Counsel for Petitioner/  
Plaintiff

*PLADK.*

IN THE COURT OF THE PRL. SENIOR CIVIL JUDGE, RANGA REDDY DIST.  
AT L.B. NAGAR

O.S.No. *895* of 2004

Between:-

Kasula Shankar Goud s/o. K.Rajaiah,  
aged about 46 yrs, Occupation Business,  
R/o. Cherlepally village, Ghatkesar  
Mandal, Ranga Reddy District.

... Plaintiff

And

1. The Hyderabad Urban Development  
Authority, rep. by its Vice-Chairman  
Paigah Plaza, Begumpet, Hyderabad.

2. The Commissioner,  
Kapur Muncipality,  
at Kapra, R.R. Dist.

...  
... Defendants

CLAIM:- SUIT FOR PERPETUAL INJUNCTION

PLAINT FILED UNDER ORDER VII RULE 1 R/W. SEC. 26 CPC.

I. Description of the Plaintiff:- The description and  
address of the Plaintiff is as shown in the cause title  
for the purpose of service of summons, notices and process  
etc. is that of his counsel M/s. Ravikanth Kasula,  
L.Sreedhar, T.Naveen Singh and M. Shivashankar, Advocates,  
Moula Ali, Hyderabad.

II. Description of the Defendant:- The description  
and address of the Defendant is as shown in the cause  
title for the purpose of service of summons, notices and  
process etc.

*R. Sreedhar* ..2/-

III. The Plaintiff humbly submit as under:-

1. That the Plaintiff is the absolute owner and possessor of Agricultural land bearing Sy.No.291 admeasuring Ac.6-30 gts. or 2.827 Hectors, situated at Cherlapally village, Ghatkesar Mandal, under Kapra Municipality, Ranga Reddy District, having purchased the same through a Regd. Sale Deed bearing document No.535/04 dt. 20-1-2004 from P.Sanjeeva Reddy s/o. P.Sai Reddy for valuable sale consideration, the Vendor of the Plaintiff herein was the Original owner and Pattedar of the said property and having absolute right and interest over the said property to sell the same, since the date of the purchase the Plaintiff is in peacefull possession and enjoyment of the same as absolute owner and possessor (hereinafter called the SUIT SCHEDULE PROPERTY).

2. That after the purchase of the said property the Plaintiff with an intention to develop the same and fenced with the Barbed wire by putting the stone khadies and also clean the bushes in and over the suit schedule property for their family purpose, the Plaintiff is having large family and having <sup>suburban to accept the facts</sup> ~~no residential~~ ~~accommodation~~, as such the Plaintiff with an intention to safeguard the property with the encroachers and land grabbers by fencing the same with barbed wire in and around the suit schedule property boundaries, while the matter being so, some of the local people developed the bore gurdge against the Plaintiff herein and to defame the society, being the Plaintiff is ~~concerned~~

*Al. Suman*

...3/-

*H. Mohan*

~~connected~~ and having Political rivalry inbetween the Local Politicians and they have complaint against the Plaintiff before the Defendant No.1 and 2 , on such instigation of the said complaint the Defendant No.1 and 2 came to the suit schedule property on 7-7-2004 and trying to remove the Barbed wire fenced with the stone khadies and disturbed the boundary stones of the suit schedule property , immediately the Plaintiff along with his well wishers resisted the illegal activities of the defendants, while they leaving the suit schedule property the defendants warned the Plaintiff that they would come again and dismantled the ~~XX~~ boundary Stones and barbed wire in and over the suit schedule property. Actually there is Water Scarcity in the surrounding area of the suit schedule property, as such the Plaintiff unable to cultivate the same , therefore the Plaintiff having no other alternative remedy approach this Hon'ble court for seeking the relief of Perpetual Injunction against the Defendants.

3. That the Plaintiff is having prima facie case and the balance of convenience is in favour of him, if the Hon'ble court may not granted Injunction orders against the Defendants the Plaintiff will be put to great loss and hardship which can not compensated in terms of damages. The plaintiff without having the Injunction orders of this Hon'ble court the Plaintiff can not resist the illegal interference of the Defendants in and over the suit Schedule property. Hence the suit.

4. No suit or proceedings are pending before any court for seeking same relief.

...4/-

*A. Swaraj*

4. CAUSE OF ACTION:- That the cause of action arose on 20-1-2004 the day on which the Plaintiff became the absolute owner and possessor of the suit schedule property when the Plaintiff has got executed a Regd. Sale Deed, and on 7-7-2004, the day on which the defendants are trying to interfere with the peaceful possession enjoyment of the suit schedule property and trying to remove the stone khadies and barbed wire in and over the suit schedule property and the cause of action is continuing and subsisting.

5. JURISDICTION:- That the suit schedule property is situated at Cherlapally village, Ghatkesar Mandal, Ranga Reddy Dist. as such this Hon'ble court has got pecuniary and territorial jurisdiction to entertain the present suit.

6. VALUATION:- That the value of the suit is at Rs. 3,00,000/- and paid a court fee of Rs. 5426/- under Section 26(c) of A.P.C.F. and S.V.Act. which is sufficient., for the relief of Perpetual Injunction.

Therefore, the Plaintiff prays that this Hon'ble court may be pleased to pass JUDGEMENT & DECREE infavour of the Plaintiff and against the Defendants as under:-

- a) To grant PERPETUAL INJUNCTION, restraining the defendants, their agents, servants, subordinates person or persons claiming through on their behalf from causing any sort of interference with the peaceful possession and enjoyment of the suit schedule property in any manner;
- b) To award the costs of the suit;
- c) To grant any such other relief or reliefs which this Hon'ble court may deem fit and proper in the circumstances of the case;

Counsel for Plaintiff

L.B.Nagar

Dt: 08-7-2004

*L.B. Nagar*  
P.

**SCHEDULE OF PROPERTY**

VERIFICATION

I, the above named Plaintiff herein, do hereby declare that the above mentioned paras are true and correct to the best of my knowledge and belief, hence verified on this the 08-7-2004, at L.B.Nagar.

*Q. Shivar Reddy*  
Plaintiff

SCHEDULE OF PROPERTY

All that the part and parcel of Agrl. Dry land bearing Sy.No.291 admeasuring Ac.6-30 gts. situated at Cherlapally village, Ghatkesar Mandal, Kapra Municipality, Ranga Reddy Dist. bounded by:-

North : Land belonging to Pratap Reddy  
South : Cartway  
East : Village Gadiwall  
West : Owner's land

*Q. Shivar Reddy*  
Plaintiff

VERIFICATION

I, the above named Plaintiff herein, do hereby declare that the above mentioned schedule of property and its boundaries are true and correct, hence verified on this the 8-7-2004, at L.B.Nagar.

*Q. Shivar Reddy*  
Plaintiff

LIST OF DOCUMENTS

1. Dt. 20-1-2004 Original Regd. Sale Deed
2. Dt. 10-2-2004 Original Encumbrance Certificate
3. ~~Original~~ ~~Book~~ C.C. of pahanl for the year
4. Xerox copy of Title Deed
5. Xerox copy of Pattedar pass book

L.B.Nagar  
Dt: 8-7-2004

*P. H. D.*  
Counsel for Plaintiff