

**C. BALAGOPAL**  
Ameerunnisa Begum  
K. Vijayasaradhi  
C.V. Chandramouli  
Advocates

*o/ Copy*

Door No. 10-2-278, Flat No. 103,  
**Suresh Harivillu** Apts. Road No. 11,  
West Marredpally, Secunderabad-26.  
Ph. : 64570512  
Regd Post Ack/du Cell : 9441782451, 9246172988

Date: 17-12-2009

To

**Shri J.Prabhakar**  
Advocate  
1-8-700/16, 3<sup>rd</sup> lane, Behind Shankar Math  
Nallakunta,  
Hyderabad – 500044.

Dear Sir,

This is in reply to your notice dated 1<sup>st</sup> December 2009 issued on behalf of your client M/s.Andhra Pradesh Rajiv Swagruha Corporation Ltd to our client M/s.Modi Properties and Investments Private Ltd, the same has been placed in our hands for a suitable reply.

1. Our client denies all the adverse allegations contained in the notice. If any allegation is not specifically denied, it should not be deemed to have been admitted.
2. With reply to your unnumbered para No.2 of your notice, it is not disputed that our client provided information under the website [www.modiproperties.com](http://www.modiproperties.com) captioned "flats at price lower than the Rajiv Swagruha" and compared the prices of our client's flats with that of Rajiv Swagruha. It is also not disputed while doing so our client has also given certain comparisons and advantages on purchasing our client's flats but it is denied that our client while giving prices have not given the correct comparison and the act of hosting the above said website and certain particulars mentioned thereon is deliberate and willful act and that our client furnished wrong information to mislead not only prospective purchasers of flats and the general public or that to belittle and damage the name of Rajiv Swagruha Corporation. The allegation is absolutely false and baseless. In fact, our client's representatives <sup>after</sup> personally visiting the flats of your client furnished the above information in the above website and the information mentioned therein is nothing but fact and our client has got every right to compare with your client's project in

view of the fact that the said project is a government project executed for the purpose of general public.

3. With regard to your unnumbered para No.3 of your notice, it is denied that the parties have made enquiries with your client about the information given on the website and that some of the parties who had come to have discussions for purchase of flats from your client have been referring to the statement made by our client in the website, in view of the fact that there is no question of enquiries by the general public about your client's project because your client's project is based on the lottery based allotment system. The information given by our client in the above website like poor planning units and that the units constructed by your client are not as per Vaastu and the quality of construction is poor are all facts even known to the public, the further contention of our client that poor customer service and far of locations with poor connectivity is also fact known even to public.

4. Our client emphatically deny that their statement would amount to defamation, giving false information to the public and also amount to an unfair trade practice and also amounts to wrongful disclosure of information. The above said contention of your client is false and baseless, hence denied. Our client further denies that it has given wrong information and suppressed to state the relevant information and particulars relating to our client's properties. Our client has not committed any illegal act and therefore not liable for any legal action.

5. In reply to your unnumbered last para of your notice, our client has already withdrawn the information given in the website in respect of units of Rajiv Swagruha Corporation to avoid unnecessary litigation with your client.

If inspite of this reply, your client launches any speculative litigation, they will be doing so at their own risk and costs and our client will defend the same at the cost of your client.

  
(C. BALAGOPAL)  
ADVOCATE

भारतीय डाक



SECUNDERABAD HD <500003>  
RLAD/A 3241

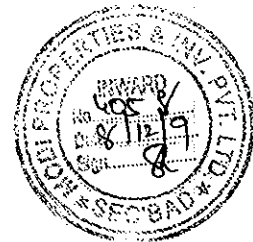
Counter No:1, OP-Code:VJ

To:PRABHAKAR ADVO,  
HYD, PIN:044

Wt:10grams,

Am:25.00 , 17/12/2009 , 15:23

<<Have a nice day>>



**J.PRABHAKAR**

Advocate

1-8-700/16, 3<sup>rd</sup> lane Behind.Shankar Math,Nallakunta,

Hyderabad-500 044

Phone: 040-27619612 & 9866599012

e-mail:jpadvocates@gmail.com

01 DECEMBER 2009

REGD WITH ACK DUE

M/s. Modi Properties &  
Investments Private Limited,  
5-4-187, Secunderabad.

Sir

Under instructions from my client M/s Andhra Pradesh Rajiv Swagruha Corporation Ltd., rep.by its Managing Director, having its office at Bharat Scouts and Guides Complex, Domalguda, Hyderabad, I address you as follows:-

My client states that it has gone through the information on your website [www.modiproperties.com](http://www.modiproperties.com) captioned "Flats at prices lower than Rajiv Swagruha" wherein you have chosen to compare the prices of your flats with that of Rajiv Swagruha. While doing so you have also given certain comparisons and the alleged advantages on purchasing of your flats. It is also noticed by my client that while giving the prices, you have not given the correct comparison and it is obvious that the act of hosting the above website and certain particulars mentioned thereon is a deliberate and willful act on your part or giving wrong and mis-information to mislead not only the prospective purchasers of flats and the general public, but also to belittle and damage the name and image of A.P. Rajiv Swagruha Corporation Limited.

My client further states that certain parties have made inquiries with my client about the information given on the website and some of the parties who had come to have discussion for purchase of flats from my client have been referring to the statement made by you in the said contents on your website whereunder you have set out certain factors like poor planning, units not being as per vastu, poor quality of construction, sanctions having not been obtained, no commitment on amenities, poor customer services, ambiguity about transfer of title in favour of customer and the nature of title like free hold/leasehold, far of locations with poor connectivity etc., The statements given by you are false even to your knowledge and prejudicial to public interest as also the interests of my client. You are also aware that the lock-in period for resale is not being insisted upon consequent to the request made by the public. The contents of your statement would not only amount to defamation, giving false information to the public, but would also amount to an unfair trade practice and

Contd...2

*J. Prabhakar*

**J.PRABHAKAR**

Advocate

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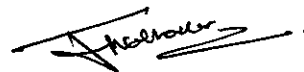
e-mail:jpadvocates@gmail.com

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also amounts to wrongful disclosure of information. The other particulars and details are not being set out in detail in this notice as you are aware of the various acts of false, misrepresentation, unfair trade practice and defamatory statements made by you. While giving the information, you have not only given wrong information, but also suppressed to state the relevant information and particulars relating to your own properties.

You are hereby therefore called upon to withdraw the same forthwith and issue necessary clarifications in this regard within one week from the date of receipt of this letter, failing which my client has no other option but to initiate appropriate action against you holding you liable and responsible for the costs and consequences thereon.



(J.PRABHAKAR)