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POLICE DEPARTMENT

From  
Sri Bharath Chandra, IPS.,  
Addl. Director General of  
Police,  
CID, Andhra Pradesh,  
HYDERABAD.

To  
The Secretary to Chief  
Minister,  
Secretariat,  
HYDERABAD.(A.P)

C.No. 1801/C16/C11/98, Date. 16.12.98.

Sir,

Sub:-Petition of Sri VGK Prasad (Ex.OSD to the  
Dy. CM of A.P) against Kusum Ben Modi and others  
Enquiry report submission-Regarding.

Ref:-D.O.Lr.No.00519/CMP/1998, dt.17.01.1996.

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As desired in the D.O letter cited the CID has caused enquiries into the allegation contained in the petition submitted by Sri V.G.K Prasad, Ex.OSD to the Dy. C.M to the Chief Minister. The allegations made by the petitioner are as under.

1. It is alleged that Mrs. Kusum Ben Modi donated of 7,848 Sq.Yards of land in Sy.No:37 and part of 38 to Sri Gurudev Siddapeeth unauthorisedly. The property in Sy.No.37 does not have clean title. In order to convert the illegitimate title into a valid one, she transferred the entire land to a religious organisation with vested interest by creating false documents.
2. The petitioner further alleged that Smt. Kusum Ben Modi had brought into existence a fictitious woman as first wife of Varikippula Ramaiah and made her and her son Mallaiah protected tenant. The existing wife Narsamma and sons Yadagiri and Laxman, were managed and they relinquished their rights in favour of first wife causing loss to the petitioner and others.
3. It is alleged that the M.R.O Balanagar through an order No.B/3/93, dt.09.03.1993 declared the first wife Durgamma and her son Mallaiah, as the first wife and son of Varikuppula Ramaiah and made them relinquish their rights in favour of

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Kusum Ben Modi. In the process one Yadi Reddy admitted that he impersonated as Varikoppula Mallaiiah under the pressure of Krishna Reddy Ex-Patwari of Begumpet. The petitioner represented to the M.R.O Balanagar, marking a copy to the R.D.O Chevella and Dist.Collector Hyderabad re-pending his admitted impersonation.

4. The petitioner had also enclosed a detailed petition given by Ingurthy Mohan Rao, Smt.I Sailaja, Mrs.Rupendara mentioning impersonation and manipulations done by Smt.Kusum Ben Modi and charitable organisation of Gurudev Siddapeeth. The petitioner finally requested the Honourable Chief Minister of A.P, to get the matter enquired through C.B.C.I.D and extend justice to the buyers of plots of land purchased from the protected tenants.

Enquiries instituted by the C.B.C.I.D revealed that Nawab Azam Jung Bhadur( Late Syed Azam) the then Principal of Hyderabad City College had purchased 5 acres and 7 guntas of land lying in Sy.Nos.37, 38 and 40 of Begumpet village from Sri Uppu Shivaiah s/o Yellaiah age 55 years r/o Secbad for a consideration of Rs.6,000/- (Rupees six thousand only) Vide document No. 166 of 1344 fasli i.e., 1934. The same was executed on 20th Azar i.e., 20th October, 1934. According to the deed executed by Sri Uppu Shivaiah the land sold by him is a non agricultural land.

Thereafter Nawab Azam Jung sold the land situated in Sy.No.40 and a part of the land in Sy.No.38 to different persons. After selling away part of land in Sy.No.38 and entire land in S.No.40 he retained the entire land of Sy.No.37 and part of land in Sy.No.38 for his personal use. During the year 1958 Nawab Azam Jung sold the entire land in Sy.No.37 and part of 38 to Marcharla Veerabadra Rao s/o M.Chidambaraiah 22 years r/o H.No.2517 Hills Street Secunderabad. The total extent of land

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In Sy.No.37 and 38 admeasures 8,220 Sq.Yrds. The sale deed was executed by Nawab Azam Jung on 17.6.58 at Sl.No.867 in Book No.I Vol.No.3 Page Nos. 198 to 200 of Sub-Registrar Officer, Hyderabad.

During the year 1961 Macharla Veerabadra Rao sold the entire land admeasuring 8,200 Sq.Yrds. to three persons viz.,  
1) Sri Satish Chandra Modi s/o Manilal Modi 17 years. r/o Jeera Compound Sec'bad 2)Smt.Girija Bai Modi w/o Manilal Modi r/o Jeera Gound 3) Smt.Kusum Devi w/o Praveen Chandra Modi. The land continued as a joint property of 1) Satish Chandra Modi 2) Girija Bai Modi and Kusum Devi Modi till 31.3.1961. Thereafter on 6.11.1964. Smt.Girija Bai Modi w/o Manilal Modi and Satish Chandra Modi s/o Manilal Modi sold their protion of rights, lien, possession etc. to Smt.Kusum Devi Modi for a sale consideration of Rs.9,300/- through a registered sale deed bearing No.1763 to 1964 in Book No.7 Vol.No.7 from page No.321 to 323 at Sub-Registrar Office Maredpally Sec'bad.

Smt.Kusum Devi w/o Praveen Chandra Modi r/o Jeera Compound Sec'bad enjoyed the possession and owner ship of this land from 1964 to 1975 as an absolute owner and possessor of this land. After taking a desision for donating the land to Sri Gurudev Asram Smt.Kusum Devi addressed a letter to the Secretary to the Government of Andhra Pradesh. Revenue Department on 5.4.1975. She mentioned her intention to gift the land to Gurudev Ashram and requested for exempstien for donating the land admeasuring 8,200, Sq.Yrds.

The Government of A.P considered the representation made by Kusum Devi and accorded exemption vide G.O.Rt.No.1069 dated 28.4.1975 imposing a condition that the land should be utilized for the Ashram and should not be sold. After securing exemption Smt.Kusum Devi Executed a gift-deed in favour of Sri Gurudev Siddsapeeth of Thane District Maharashtra State.

This gift deed was registered as document No.1552 on 7th day of July, 1975 of book No. I Vol.No.15 pages 452 to 455 of Sub-Register Office Maredpally.

The Gurudev Siddapeeth had also filed petitions for exemption under the urban ceiling Act. The special Officer and competent authority for urban land ceiling has also exempted the land vide proceeding No.F2/4/93, dt.09.09.1993 U/s 19(1) (IV) of the act as long as the land is utilised for the purpose of the trust. In case the trust intends to alienate the property, the trust should obtain prior permission from the Government. Thereby the allegation that Smt.Kusum Devi had manipulated the record and lastly donated the property to coverup the manipulations is with out basis and is held not substantiated.

The allegation No.2 and 3 were enquired with reference to the record available with the M.R.O Balanagar and the office of R.D.O, Chevella. It is seen from the records that during 1983 while Sri A.Narasaiah was the Tahsildar of Vallabhanagar, Tahsil, Varikuppula Narsamma and her sons Varikuppula Yadgiri and Varikuppula Laxman filed a petition before Tahsildar Vallabhanagar that their father Varikuppula Ramaiah was the protected tenant of Sy.No.37 of Begumpet village and they being the legal heirs of the late Varikuppula Ramaiah should be accorded the legal heir certificate for protected tenancy.

The Tahsildar Vallabhanagar Sri A.Narasaiah ( Now Retired ) had taken up the application of Varikuppula Narsamma, V.Yadagiri and V.Laxman on record and commenced the enquiry. During enquiry the Tahsildar without causing extensive enquiries as contemplated issued a legal heir certificate to the applicants i.e., V.Narsamma and her sons vide order No.B/3331/84, dated 24.12.1984. The certificate was issued U/s 40(2) of the Telangana area tenancy and agricultural lands act 1950. However before obtaining the legal heir certificate on 24.12.1984, obviously with the collusion

of the M.R.O Balanagar the Varikuppula Narsamma and her sons. V.Laxman, V.Yadagiri appointed a general power of attorney on 26.11.1984 i.e., one month prior to obtaining the legal heir certificate. The GPA was accorded in favour of P.Sudershan s/o P.Pentalaiah r/o Musheerabad and it was registered by all the three persons i.e., V.Narsamma and her sons Yadigiri V.Laxman, on the other side the Charity Commissioner of Sri Gurudev Siddapeeth and their executive trustee Satish Chandra Modi obtained orders from the court restraining P.Sudershan, G.P.A. of V.Narasamma and her sons from forcibly occupying the land in Sy.No.37 V.Narasamma and her sons through their G.P.A had filed a suit against Sri Wasif Azam s/o Nawab Azam Jung and Kusum Devi for delivery of possession of S.No.37 of Begumpet(V) and recognition of protected tenancy in O.S.No.458/84 but the suit was dismissed on 10.7.1990.

The executive trustee had filed a civil suit against V.Narasamma and her sons in the Court of Principal Subordinate Judge, R.R.Dist.in O.S.No.74 of 1985 and obtained injunction in respect of Sy.No.37 & 38 of Begumpet village against V.Narasamma and others. On 6th August 1991 the Principal Sub-Judge R.R.Dist. pronounced in the judgement that Gurudev Siddapeeth is absolute owner and possessor of the land and the intrem injunction issued in I.A.No. 161/85 was made purpotual against V.Narasamma, V.Laxman and V.Yadagiri.

While the injunction order in I.A.No.161/85 of O.S.No. 74/85 was in force against V.Narasamma and her sons, and the original suit is O.S.No.74/85 subjudice the respondents to the original suit and injunction had ignored the injunction orders and alienated the suit land to three persons, the details of which are as follows:-

Sri T.Nand Kishor Singh s/o Moti Singh age 35 years r/o H.No.28-6-748 Laldarwaza, he purchased 200 Sq.Yrds. of land for sale consideration of Rs.46,000/- from Varikuppula Yadagiri s/o V.Ramaiah. The sale deed executed on 10.3.1987.

2) Mrs. Rupendara w/o Nand Kishor Singh, 34 Yrs. r/o H.No.18-6-748 Laldarwaza, she purchase 296 Sq.Yrds. of land from V.Narsamma for sale consideration of Rs.50,000/-. The sale deed was executed by P.Sudershan G.P.A of N.Narsamma on 20.8.1988.

3) Sri V.G.K. Prasad s/o Late Vesweshwara Prasad 60 Yrs. Occ.Retd.Govt. Officer r/o Banjara Avenue Road No.1 Banjara Hills had entered into a agreement of sale on 7.2.1985 for purchasing a plot of land measuring 942 Sq.Yrds in Sy.No.37 for a sale consideration of Rs.2 Lakhs fifty thousand and paid an advance of Rs.1,50,000/- to P.Sudershan s/o P.Pentalaiah r/o Musheerabad G.P.A V.Narsamma and her sons V.Yadagiri and Laxman.

The sale of plots mentioned in serial No.1 and 2 and the agreement of sale mentioned at Sl.No 3 were executed by the protected tenants of Sy.No.37 of Begumpet village and their G.P.A while they were restrained under an injunction by the court of Prl.Subordinate Judge, R.R.Dist. from interfering alleging encumbring, changing the physical features of the land in Sy.No.37 of Begumpet village.

While the matter stood thus two claimant namely V.Durgamma and V.Mallaiah had filed petition before M.R.O that they are the real claimants of tenancy in Sl.No.37 of Begumpet(V) being the first wife and son of V.Ramaiah. The M.R.O Sri G.Madhusudan had conducted a domestic enquiry and recorded the statements of one independent witness and the claimant V.Laxman and passed an order Vide No.B/129/92, dt.21.3.1992 awarding half of the rights of protected tenancy to V.Durgamma and her son V.Mallaiah and the other half to V.Laxman and V.Yadagiri as their mother

Again during 1993 a petition was filed by V.Durgamma and V.Mallaiah s/o Late V.Ramaiah that V.Laxman and V.Yadagiri (i.e, Sons to second wife of V.Ramaiah) voluntarily relinquishing their share in this favour. The M.R.O G.Narsimha Reddy recorded the requests made by V.Durgamma and V.Mallaiah on one side and V.Laxman and V.Yadagiri on other side and passed orders vide file No.B/3/93 dated.9.3.1993 awarding the entire right of protected tenancy in S.No.37 to V.Durgamma and V.Mallaiah, P.Sudershan did not object to it though he sold the plots of land to Nand Kishor Singh Mrs.Rupendra and entered into an agreement of sale with VGK Prasad.

After becoming absolute owner of the right of protected tenancy V.Mallaiah and V.Durgamma on one side and P.Sudershan as third party filed petition before MRO Balanagar Sri G.Narshina Reddy against Satish P.Modi for an injunction. The petitions were heard from 19.7.1993 onwards and the M.R.O after hearing both the parties recorded the compromise that V.Durgamma, and V.Mallaiah had surrendered, their protected tenancy in favour of Satish P.Modi executive trustee of Sri Gurudev Siddapeeth and P.Sudershan was also a party to this compromise. This orders was issued by M.R.O Balanagar vide file No.B/1150/93, dt.23.4.1994 but the MRO did not recorded any reasons or considerations for compromise and the part of P.Sudershan was not discussed.

Then purchasers of plots of lands i.e., Nand Kishore Singh, Sat.Rupendara had filed Civil suit in the Court of Pri. Subordinate Judge, R.R.Dist. in O.S Nos.242/93, 247/93 & 248/93 for specific performance of delivery of possession and all the Civil suits are pending trial.

The petitioner V.S.K Prasad has also filed a suit in O.S No.154/96 against P.Sudershan, V.Laxman and V.Yadagiri for specific performance. It is pertinent to mention here that P.Sudershan had filed a written statement in this case wherein he denied the signature on the agreement of sale, and contended that the signature purported to be of P.Sudershan was fabricated. This suit is also pending trial.

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Sensing that everything from under his feet was slipping P.Sudershan had entered in to a compromise directly with Satish P.Modi, the executive trustee of Sri Gurudev Siddapeeth, In pursuance of the compromise the executive trustee of Sri Gurudev Siddapeeth paid Rs.35 Lakhs on 7.3.1996 to P.Sudershan obviously for containing the litigation on a condition that all the parties including the vendees of the plots who were filing Civil suits could be reimbursed by P.Sudershan. The entire amount was paid to P.Sudershan through demand drafts in pursuance of compromise deed executed between the parties.

After entering into the compromise P.Sudershan filed affidavits with Revenue authorities for entering the name of Sri Gurudev Siddapeeth in Revenue records in place of V.Durgamma and V.Mallaiah and P.Sudershan had also withdrawn the Civil cases filed by him.

After causing extersive enquiries into the allegations the respondent P.Sudershan was summoned and questioned about this entire transaction in S.No.37 of Begumpet village.

During enquiries it is revealed that he contacted Sri A.Krishna Reddy Ex.Patwari of Begumpet village during 1983 and requested for pointing out a plot of land with clear title for real estate business. A.Krishna Reddy demanded an amount of Rs.6 Lakhs for himself and the cost of land for the owner. As regards the protected tenants i.e., V.Narsamma V.Laxman V.Yadagiri it was stated by P.Sudershan that all these persons are created claimants setup by Ex.Patwari A.Krishna Reddy. He further stated that Krishna Reddy had access to all the Revenue records in Mandal Office, Balanagar and he managed by paying handsome amounts to the M.R.O and the staff. However Krishna Reddy successfully manipulated the records of the MRO Balanagar and inserted the name of V.Ramaiah in the protected tenancy register.



As regards the transactions and registration of G.P.A etc. in his favour P.Sudershan stated that all these transactions transpired in the presence of A.Krishna Reddy. Ex.Patwari, Begumpet village. The new claimants i.e., V.Durgamma and V.Mallaiash were also secured by A.Krishna Reddy and he does not know where from these persons were brought.

In the M.R.O Office Balanagar file in C.No.B/3331/84, dated.24.12.1984 and B/129/92, B/3/93 & B/1153/93 relating to this land are not traceable for the purpose of further investigation.

Regarding alleged fraud, fabrication and manipulation of Revenue records and other documents by G.PSudharshan and A.Krishna Reddy, Ex.Patwari Begumpet, it is not possible to take any criminal action by registering cases since civil suits 242/93, 247/93 and O.S.No.248/93 are pending in the court of Principal Subordinate Court, R.R.District.

It is understood the Vigilance and Enforcement Department GAD has also conducted an enquiry into the matter. The same may be asked for from Vigilance and Enforcement Department if deemed necessary.

Yours faithfully,

*N. M. K.*  
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for Addl. Dir. Genl. of Police,  
CID, AP, Hyderabad.

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