

IN THE COURT OF THE HON'BLE

DISTRICT JUDGE AT ^{Malkajgiri} ~~L.B. NAGAR~~

I.A. NO. OF 2020

IN

O.S. NO. OF 2020

Between

Mrs. T Anuroopa Reddy
W/o T Shanker Reddy aged 61 years
Occupation House wife
R/o Flat No. 302, Sri Sai Krupa Residency
Opp. Temple Alwal PS,
Secunderabad, 500010, Telangana State.

.....Petitioner/Plaintiff

AND

1. Mogulla Jagan Mohan Reddy,
S/o Late Shankar Reddy,
aged 56 years, Occ: Business,
R/o. 1291/B, Pioneer Bazar,
Bollaram, Secunderabad-500010.

2. Mogulla Madhu Mohan Reddy,
S/o Late Shankar Reddy,
aged 53 years, Occ: Business,
R/o. Plot No. 45, 2-9-57/7/3,
Sai Nagar Colony, Macha Bollaram,
Farzandiguda, Secunderabad-500010

3. Mogulla Indiramma,
W/o Late Shankar Reddy,
Aged 75 years, cc: House Wife,
R/o. 1291/B, Pioneer Bazar,
Bollaram, Secunderabad-500010.

4. Mogulla Sudheer Reddy,
S/o Late M. Narayana Reddy,
Aged 49 years, Occ: Business,
R/o Flat No.308 & 309, Survey No.94
V S S Nandadeep Apartments,
Beside Suraksha Hospital, Jeedimetla,
Qutubullapur, Hyderabad, Telangana-500067

5. Mogulla Sushanth Reddy,
S/o Late Mogulla Narayana Reddy,
Aged 46 years, Occ:Service,
R/o Sy. No.93/P, flat No.504, D-Block, 5th floor,
NCL Sindhu Apartments, Pet Basheerabad,
Near RTA Office, Medchal, Jeedimetla,
Hyderabad, Telangana-500055.

Deponent

6. Smt. Musku Sunitha, W/o Ramana Reddy,
Aged 51 years, Occ: House Wife,
R/o Flat No. 505, Laxmi Arcade, Laxmi Enclave Colony,
Near Konark Hospital, Jeedimetla,
Qutubullapur, Hyderabad, Telangana-500055.

7. Smt. Mogulla Kamala, W/o Late Mogulla Narayana Reddy,
Aged 69 years, Occ: House Wife,
R/o Flat No.308, Survey No.94
V S S Nandadeep Apartments,
Beside Suraksha Hospital, Jeedimetla,
Qutubullapur, Hyderabad, Telangana-500067

8. Mogulla Srinivasa Reddy,
S/o late Mogulla Raji Reddy,
Aged 69 years, Occ: Nil,
R/o 2,2,218/22, Ganesh Nagar, Macha Bollaram,
Secunderabad, Telangana - 500010

9. M. Sai Reddy, S/o late M. Narasa Reddy,
Aged 67 years, Occ: Agriculture,
R/o Sai Nilayam, Plot No.26 (SCB), 8-14-029,
Shanti Nagar, Risala Bazar,
Secunderabad-500010.

10. M. Sanjeev Reddy, S/o late M. Narasa Reddy,
Aged 57 years, Occ: Agriculture,
R/o Plot No.38, Opp: building to Plot No.8,
Gummadi Krishna Reddy-Buttonguda, Bollaram,
Secunderabad-500010.

11. M. Srinivas Reddy S/o late M. Narasa Reddy,
Aged 56 years, Occ: Agriculture,
R/o Fortune Avenue, Survey No.198,199, 201
Kowkoo Village, Bollaram,
Secunderabad- 500010.

12. M. Balvanth Reddy S/o late M. Narasa Reddy,
Aged 52 years, Occ: Agriculture,
R/o 2-9-110, Behind Kotwal School,
Beside Hanuman Temple, Buttonguda, Bollaram,
Secunderabad-500010.

13. Mr. Bhaskar K Bhatt,
S/o K R Bhatt, aged 54 years,
Occ: Business,
R/o#114, Arya Samaj Building,
Secunderabad-500003.

14. Karnati Bhaskar,
S/o K Narasimha, aged 54 years,
Occ: Business, R/o 2-44/1,

Deponent

Sainagar, Chaitanyapuri,
Dilshukhnagar, Hyderabad-500060.

15. K. Gopinath, S/o K. Bhaskar,
Aged 31 years, Occ: Business,
R/o. R/o 2-44/1,
Sainagar, Chaitanyapuri,
Dilshukhnagar, Hyderabad-500060.

16. A. Purushotham, S/o A. Vittal,
Aged 54 years, Occ: Business,
R/o 1-3-1/C/1, Flat No. 101,
1st Floor, Jaya Mansion,
Kavadiguda, Hyderabad-500080.

17. A. Srinivas S/o A. Vittal,
Aged 46 years, Occ: Business,
R/o 2-44/1, Sainagar,
Chaitanyapuri,
Dilshukhnagar, Hyderabad-500060.

18. Belide Venkatesh, S/o B. Eshwaraiah,
Aged 53 years, Occ: Business,
R/o 1-3-2/C/1, Kisan Nagar,
Bhongiri, Nalgonda-508116.

19. Green Wood Estate,
A registered Partnership Firm,
Rep. by its Partner Mr. Meet B Mehta,
S/o Bharath B Mehta, aged 43 years,
Office at Shop Nos. 1,2 and 3, Ground Floor,
Hari Ganga Complex, Ranigunj, Secunderabad-500003.

20. Shri Meet B. Mehta S/o Bharat U. Mehta,
aged 44 years, Occupation: Business,
R/o Plot No. 21, Bapubagh Colony, P.G.Road,
Secunderabad - 500003

21. Smt. K. Sridevi W/o Sri K.V.S.Reddy,
aged 45 years, R/o flat No.305, Srinilaya Estates,
Ameerpet, Hyderabad-500016.

22. Modi Housing Pvt. Ltd.,
A Company incorporated under the Companies Act, 1956,
Regd. Office at 5-4-187/3 & 4, Soham mansion, II Floor,
M.G.Road, Secunderabad - 500003

23. P. Pradeep Surana, S/o Parasmul Surana,
Aged 47 years, Occ: Business,
R/o H.No. 516, Sadar Bazar,
Bollarum, Secunderabad.-500010

::4::

24. E.B. Nagaraj, s/o E.P. Balraj,
Aged 47 years, Occ: Employee,
R/o 10-83, Temple Alwal,
Bollarum, Secunderabad-500010.

25. P. Suresh Reddy,
S/o P. Sudhakar Reddy,
Aged 51 years, occ: Business,
R/o H.No. 3-5-167/B, Venkateshwara Colony,
Narayanaguda, Hyderabad- 500029.

26. P. Rupa, W/o P. Suresh Reddy,
Aged 48 years, Occ: House Wife,
R/o H.No. 3-5-167/B, Venkateshwara Colony,
Narayanaguda, Hyderabad-500029.

27. P. Surender Reddy, S/o P. Krishna Reddy,
Aged 51 years, Occ: Business,
R/o H.No. 3-5-167/B, Venkateshwara Colony,
Narayanaguda, Hyderabad- 500029.

..... Respondent/Defendants

AFFIDAVIT

I, Mrs. T Anuroopa Reddy W/o T Shanker Reddy aged 61 years,
Occupation House wife, R/o Flat No. 302, Sri Sai Krupa Residency,
Opp. Temple Alwal PS, Secunderabad, 500010, Telangana State, do
hereby solemnly affirm and sincerely state on oath as follows:

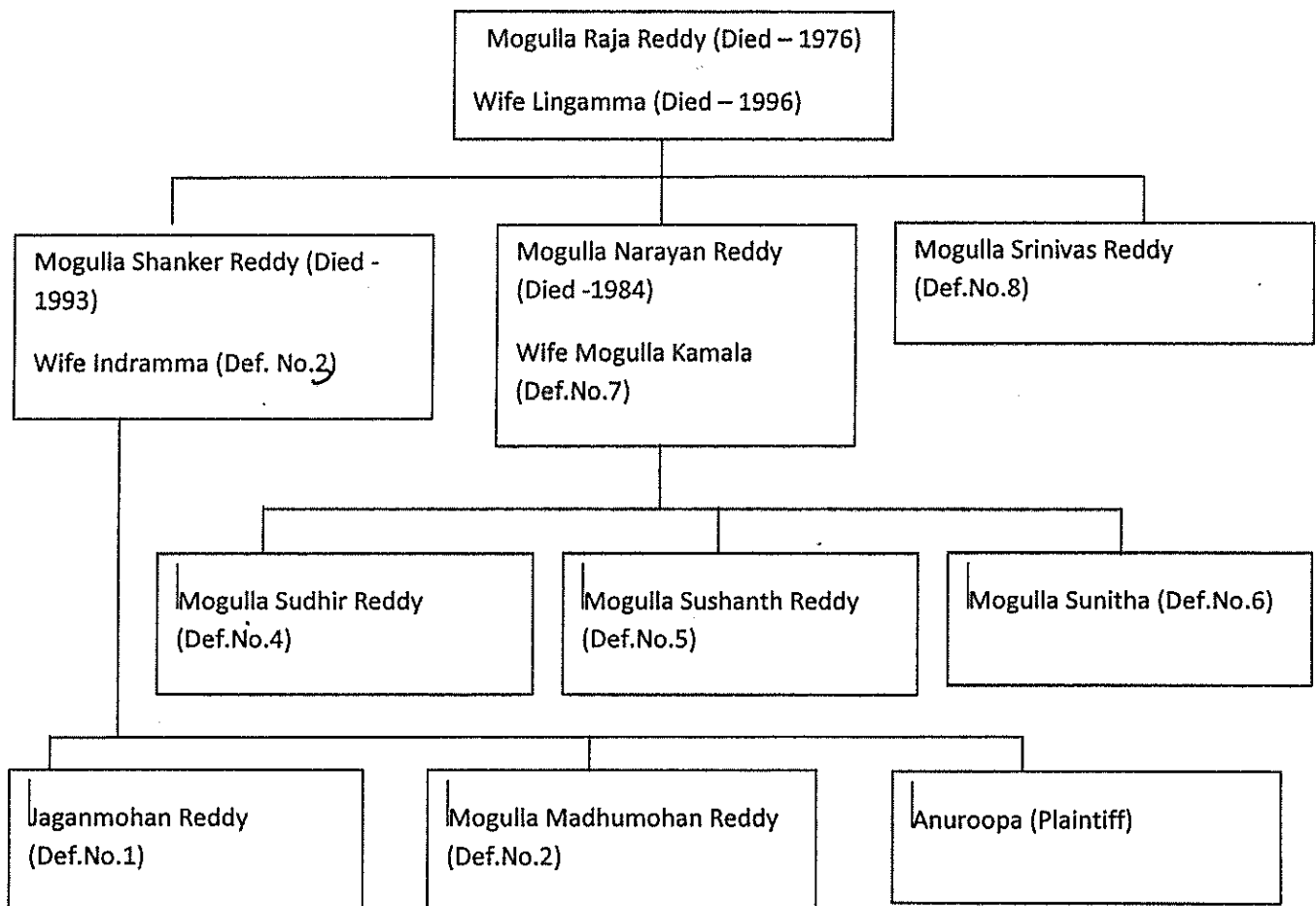
1. I am the petitioner herein and Plaintiff in the main suit and I am well acquainted with the facts of the case.
2. I state that, I filed the above suit seeking partition of Plaint Scheduled Properties and for delivery of possession of my separate share among other reliefs and I crave leave of this Hon'ble Court to peruse the Plaint averments as part and parcel of this Affidavit.
3. I state that, my Paternal Grand Father Late Mogulla Raja Reddy was the Pattedar of the Plaint Schedule Properties comprising of

Deponent

::5::

land admeasuring Ac.20-32 guntas in Survey nos. 202, 205, 206 & 145 of Kowkur village, Cantonment Bollaram, Secunderabad under a Registered Sale Deed 996 of 1358F dt.05-12-1358F or 1948 AD. He purchased another extent of land admeasuring Ac.2-16 guntas in survey nos. 203 & 204 under sale deed dt.19-12-1954 from Mogulla Narsa Reddy (Father of Respondents No.9-12).

4. I state that, my Paternal Grand Father Late Mogulla Raja Reddy died intestate in the year 1976 leaving behind him his wife & 3 sons as his successors. Elder son is my father and the family pedigree as referred below clearly speaks about my relationship with Respondents No.1 to 8.



Deponent

5. I state that after the death of my Grand Father and my Father, I reposed confidence in my brothers who were looking after and supervising and cultivating the Plaint Schedule Properties. I am not aware how the lands were mutated in the names of Respondents 1, 2, 4, 5, 8 to 12 and Respondents 1, 2, 4 & 5 fell prey in the hands of Respondents 9 to 12 who obtained a registered partition deed document no.57/2007 on 05-01-2007 for part of Plaint 'A' and 'B' schedule lands. I was not put on any notice or obtained my consent to execute the same by which Ac.8-05 guntas of land was given away without any right to Respondents 9 to 12 by falsely referring to alleged Joint right between my Paternal Grand Father late Mogulla Raja Reddy and Father of Respondents 9 to 12 viz. Mogulla Narsa Reddy. Once again on the same day and subsequently several documents got executed between the Respondents and all the while I was kept in dark. In fact, Respondents 1 to 7 have no independent exclusive right over the Plaint Schedule Properties being Hindu Undivided Joint Family Properties. Respondents 1 to 7 have even made alienation to Respondents 13 to 27 without any lawful right and they are invalid and they do not bind me.
6. I state that, very recently in September 2020, when I demanded my brothers to partition the Plaint Schedule properties and allot my share I sensed their evasive answers which made things suspicious for me to probe into the property deals and upon some documents given by my mother, I was shocked and

Deponent

::7::

surprised about various clandestine documents that have been created and executed to knock away my valuable right over the Plaint schedule properties, even before a proper legal partition is worked out and the registration of such deed is completed. As such, I am now constrained to seek indulgence of the Hon'ble Court to grant a relief of temporary Injunction.

7. I state that, having learnt about various registered sale deeds executed by Respondent 1 to 7 and a collusive and fraudulent partition deed as obtained by Respondents 9 to 12 and those purchasers entering into further deeds, I had to issue a Registered Legal Notice dt.06-11-2020 to all the Respondents demanding Partition and separate possession of my share. Though the Respondents 1 to 16, 18, 19, 22, 23, 25 to 27 acknowledged my legal notice, neither complied my demand nor replied to the same. On the contrary the Respondents are now making brazen efforts to encumber the properties further to multiply the litigation and to defeat my rights or to frustrate the relief claimed in the main suit. If any further alienations or encumbrances are created, the purpose of suit gets defeated.

8. I humbly state that, I have a prima-facie case in my favour considering the Plaint Schedule Properties being ancestral properties where I have a share in such Undivided Joint Hindu Family properties and balance of convenience is also in my favour since, Plaint schedule properties are liable for partition between me and Respondents 1 to 8 and as myself being a

Deponent

::8::

coparcener. If the Plaint Schedule properties are encumbered or alienated pending the suit, the loss which I would sustain will be irreparable and cannot be compensated in terms of money. As such I am now constrained to seek indulgence of this Hon'ble Court to consider the relief of Temporary Injunction through this application.

In the above circumstances and in the interest of justice it is humbly prayed that this Hon'ble Court may be pleased to grant ad-Interim Injunction restraining the Respondents or their agents or anybody claiming through them from alienating/encumbering or changing the nature of the Plaint schedule properties pending the suit, as otherwise I stand to suffer serious prejudice.

Sworn and signed on this the

 day of December, 2020 at

Hyderabad.

DEPONENT

BEFORE ME,

ADVOCATE

IN THE COURT OF THE HON'BLE

DISTRICT JUDGE AT ^{Malkajgiri} ~~L.B. NAGAR~~

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R/o 2,2,218/22, Ganesh Nagar, Macha Bollaram,
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S/o K R Bhatt, aged 54 years,
Occ: Busbusiness,
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14. Karnati Bhaskar,
S/o K Narasimha, aged 54 years,
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Sainagar, Chaitanyapuri,
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19. Green Wood Estate,
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Office at Shop Nos. 1,2 and 3, Ground Floor,
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Aged 47 years, Occ: Business,
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Bollarum, Secunderabad.-500010

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Aged 47 years, Occ: Employee,
R/o 10-83, Temple Alwal,
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S/o P. Sudhakar Reddy,
Aged 51 years, occ: Business,
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26. P. Rupa, W/o P. Suresh Reddy,
Aged 48 years, Occ: House Wife,
R/o H.No. 3-5-167/B, Venkateshwara Colony,
Narayanaguda, Hyderabad-500029.

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Aged 51 years, Occ: Business,
R/o H.No. 3-5-167/B, Venkateshwara Colony,
Narayanaguda, Hyderabad- 500029.

..... Respondent/Defendants

**PETITION FILED UNDER ORDER 39 RULES 1 & 2 R/W SEC.151
OF CPC**

For the reasons stated in the accompanying affidavit, it is humbly prayed that this Hon'ble Court may be pleased to grant ad-Interim Injunction restraining the Respondents or their agents or anybody claiming through them from alienating/encumbering or changing the nature of suit schedule properties pending the suit, and to pass such other order or orders as are deemed fit and proper in the circumstances of the case.

Date: .12.2020

L.B.Nagar

COUNSEL FOR PETITIONER

PLAINT SCHEDULE PROPERTIES

PLAINT 'A' SCHEDULE

All that the land admeasuring Ac.20-32 guntas in Survey Nos. 202(Ac.10-04 guntas), 205(Ac.6-39 guntas), 206(Ac.0-13 guntas) and 145(Ac.6-39 guntas) situated at Kowkur Village, Cantonment Bollaram, Secunderabad, presently Malkajgiri Mandal, R.R.District, bounded by

NORTH: Lands in Survey Nos.200,201,196,198

SOUTH: Neighbour's Land of Sai Reddy & others and Yapral Village

EAST: Government/Defense Land and Part of Yapral Village

WEST: Land in Survey Nos.203, 204 (Plaint 'B' Sch) & 207

PLAINT 'B' SCHEDULE PROPERTY

All that the land admeasuring Ac.2-16 guntas in Survey Nos. 203(Ac.2-05 guntas) and 204(Ac.0-11 guntas) situated at Kowkur Village, Cantonment Bollaram, Secunderabad, presently Malkajgiri Mandal, R.R.District, bounded by

NORTH: Land in Survey nos.205 (Plaint 'A' Schedule) & 207

SOUTH: Yapral Village

EAST: Land in Survey nos. 202 (Plaint 'A' Schedule)

WEST: Land in survey nos. 212

COUNSEL FOR PETITIONER

IN THE COURT OF THE
HON'BLE DISTRICT
JUDGE AT L.B.NAGAR

I.A. NO. OF 2020

IN

OS NO. OF 2020

Between:

Mrs.T Anuroopa Reddy

Petitioner / Plaintiff

AND

1.Mogulla Jagan Mohan
Reddy & others

..Respondents /Defendants

PETITION FILED UNDER
ORDER 39 RULES 1 & 2 OF
CPC

FILED ON: Dec., 2020

FILED BY:

ERANKI PHANI KUMAR,

ADVOCATE,

4TH FLOOR, ERANKI
RESIDENCY, 1-3-1/14,
KAVADIGUDA,
HYDERABAD - 500 080

epkassociates@gmail.com

Mobile : 98480 48935

COUNSEL FOR PETITIONER
/ PLAINTIFF