

IN THE HIGH COURT FOR THE STATE OF TELANGANA  
AT HYDERABAD

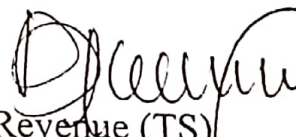
CC.No. 1868 of 2018

IN

WP.No. 9976 of 2017

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G.P. for Revenue (TS)  
(15604)

IN THE HIGH COURT FOR THE STATE OF TELANGANA  
AT HYDERABAD

CC.NO. 1868 OF 2018

IN

W.P.NO. 9976 OF 2017

Between:

1. Nawab Mir Salabath Ali Khan,  
S/o. Late Nawab Bhojath Jah Bahadur,  
Aged about 50 years, Occ: Business  
Resident of H.No.8-2-686/16/1/B,  
Road No.12, Banjara Hills, Hyderabad  
presently residing at Flat No.101 & 102,  
H.No.1-8-599, A.K.Towers, Patigadda Road,  
Begumpet, Secunderabad & 5 others

...Petitioners

AND

1. Mr. Tirupathi Rao.S,  
Tahsildar,  
Serilingampally Mandal,  
Ranga Reddy District

...Respondent

COUNTER AFFIDAVIT FILED BY THE RESPONDENT

I, S.Tirupathi Rao S/o S. Rajaiah, aged about 55 years, resident of Hyderabad, do hereby solemnly affirm and sincerely state as follows:

1. I have worked as Deputy Collector & Tahsildar, Serilingampally Mandal, Rangareddy District, up to 03-09-2018, and at present working as District Minority Welfare Officer, Sangareddy District. I am Respondent herein and as such I am well acquainted with the facts of the case. I have read the petitioner's affidavit filed in support of Contempt Case. I submit that it does not disclose any valid or substantial grounds to issue any relief as prayed for. The petitioners be put to strict proof of all those allegations, which are denied except to the extent specifically admitted hereunder.

  
ATTESTOR  
TAHSILDAR

Urban Land Ceiling  
Ranga Reddy District

  
DEPONENT  
Deputy Collector &  
Seri Lingampally  
Ranga Reddy

2. In reply to Paras 2 to 5, it is respectfully submitted that the petitioners herein stated to have filed petition before this Respondent 28-02-2017, for grant of mutation of land measuring Ac.59-30 gts., in Sy.No.25/2, 25/3, 25/4, 25/5, 25/6 situated at <sup>Kancha</sup>Gachibowli Village, Serilingampally Mandal. In this regard it is submitted that the land bearing Sy.No.25, admeasuring Ac.2374-02 gts., situated at <sup>Kancha</sup>Gachibowli Village, Serilingampally Mandal, Rangareddy is Government land as per the Revenue Records, and the same was allotted to various institutions i.e., Central University of Hyderabad, Sports Academy (SAAP), International Institution of Information Technology (IIIT) for house sites to the Government employees. The said land and its sub-division numbers are under possession of the respective institutions.

3. In reply to Paras 6 to 9, it is respectfully submitted that the allegations made by the petitioners herein are not truly and correctly stated. I submit that the lands claimed are under the possession of the various institutions including the Central University of Hyderabad, and that the petitioners are not in possession of the land. It is further submitted that the petitioners are claiming that the H.E.H.Nizam, Mir Osman Ali Khan, Asif Jah the VII, was the absolute owners and possessors of the subject lands and the petitioners are legal heirs of H.E.H.Nizam. In this regard it is submitted that the H.E.H.Nizam, has submitted a Inventory of his personal properties in List-I, List-II and List-III, which is called as "Blue Book" to the Government of India, and Government of India, Ministry of States, through its D.O.No.F2(1-H/50 dated:30-11-1953, as accepted the properties listed under List-I and List-II, as personal properties of H.E.H. the Nizam, and the List-III, wherein the pasture lands were declared has not been accepted by the Government of India, as personal properties of H.E.H. the Nizam. The H.E.H. the Nizam, declared Sy.Nos.25 and 26

ATTESTOR  
TAN SILDAR

Urban Land  
Rangareddy

DEPONENT  
Deputy Collector  
Seri Lingampally  
Rangareddy




admeasuring 2725-00 acres at Sl.No.4 of the List-III. Since the Government of India has not accepted this property as the personal property of the H.E.H. the Nizam, the H.E.H. the Nizam or the persons claiming through him or not entitled for any right or title over the land. I am also unaware of any legal notice issued by the petitioners as the said legal notice was also not brought to my notice by my subordinate staff.

4. It is further submitted that the petitioners have filed W.P.No.9976 of 2017 before this Hon'ble Court, and this Hon'ble Court, was pleased to dispose the writ petition on 21-3-2017 as follows:

*"Sine the application of the petitioner dated: 28-02-2017 stated to be pending before the 4<sup>th</sup> respondent, without going into the merits of the case the 1<sup>st</sup> Respondent is directed to dispose of the same, in accordance with law, after issuing notice to the affected parties if any."*

5. I respectfully submit that the orders of this Hon'ble Court dt: 21.03.2017 was not brought to my notice either by the petitioner or by my subordinate staff circulating the petitioners application for mutation. The State Govt. issued G.O.Ms.No.166, dt: 16.02.2008 for regularization of the lands and the same was extended time to time by issuing GOs vide G.O.Ms.No. G.O.Ms.No.179, dt: 01.09.2018 directing all the Tahsildars to receive the applications for regularization on or before 15.10.2018. In view of the time schedule the entire staff of this respondent office including me are involved in processing the said applications and thereafter entire staff of this respondent office are entrusted with the duty to localize the Govt. lands. Meanwhile as per the directions of Election Commission of India pre and post electoral work has been entrusted to this respondent office as such along with me the entire staff

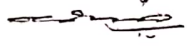
  
**ATTESTOR**  
 Urban Land Ceiling  
 Ranga Reddy District


  
**DEPONENT**  
 Deputy Collector  
 Ranga Reddy District

are in Election work for preparation of the voters list and identification of the booths and checking up EVMs. In this process this respondent office has not noticed about the time stipulated by this Hon'ble Court in disposal of the representation of the petitioners dt: 28.02.2017 as per the orders of the Hon'ble Court dt: 21.03.2017. Further I submit that I have transferred in the month of 07.09.2018 as Tahsildar, Serilingampally Mandal and I have been posted as District Minority Welfare Officer, Sangareddy District. After filing of contempt case by the petitioner I came to know that the petitioners representation dt: 28.02.2017 is pending on the file of this respondent office and immediately on verification of the files having noticed that the said application is not traceable and collected the said representation of the petitioners from the record in WP.No.9976 of 2017 and requested my successor in office to dispose the said representation as directed by this Hon'ble Court. I submit that the present Tahsildar in compliance with the orders of this Hon'ble Court has passed orders on 12.03.2019 in proceedings No.B/173/2019 duly communicating the same to the petitioners herein. The delay in complying the orders of this Hon'ble Court is neither intentional nor wanton it is because of the reasons stated supra.

6. I respectfully submit that this respondent has always had deepest and highest regard to the orders of this Hon'ble Court and its timely implementation, and never had an intention to show any disrespect or dishonor to the orders of this Hon'ble Court, much less, willfully or wantonly. I respectfully submit that, I most humbly tender unconditional and unqualified apology for the delay in compliance of the orders of this Hon'ble Court and pray this Hon'ble Court to exonerate me from contempt proceedings, in the interest of justice.

Sworn and signed before me  
On this the 8<sup>th</sup> day of April, 2019  
at Hyderabad


  
DEPONENT  
Deputy Commissioner & Tahsildar  
Serilingampally Mandal  
Ranga Reddy District

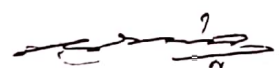
  
TAN SILDAR  
Attestor  
Urban Land Ceiling  
Ranga Reddy District

**VERIFICATION**

I, S.Tirupathi Rao S/o S. Rajaiah aged about 55 years, resident of Hyderabad, I have worked as Deputy Collector & Tahsildar, Serilingampally Mandal, Rangareddy District, up to 03-09-2018, and at present working as District Minority Welfare Officer, Sangareddy District, do hereby verify and declare that the contents stated in the above counter affidavit are true and correct to the best of my knowledge and belief.

Hence verified on this the 8<sup>th</sup> day of April, 2019, at Hyderabad.

  
G.P. for Revenue (TS)

  
DEPONENT  
Deputy Collector.& Tahsildar  
Seri Lingampally Manda  
Ranga Reddy District



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**GOVERNMENT OF TELANGANA  
REVENUE DEPARTMENT**

Office of the  
Deputy Collector & Tahsildar,  
Serilingampally Mandal

**No. B/173/2019**

**Dated: 21.03.2019.**

**:- ENDORSEMENT :-**

Sub: - ROR - Ranga Reddy District - Serilingampally Mandal - Kancha Gachibowli village - Sy. No. 25/2, 25/3, 25/4, 25/5 & 25/6 extent Ac. 59.30 gts., - Request for Incorporation of names in the revenue records and also to issue Pattadar Pass Books and Title Deeds - Writ Petition No. 9976/2017 filed before the Hon'ble High Court - Disposed - Endorsement issued - Reg.

Ref: - 1. A/o Sri Nawab Mir Salabath Ali Khan & (5) others, dated : 28.02.2017.  
2. Orders of the Hon'ble High Court in WP No. 9976/2017, dt: 21.03.2017.


-\*.~\*~\*-

With reference to your application filed for incorporation of names in the revenue records and also to issue Pattadar Pass Books and Title Deeds in respect of Sy. Nos. 25/2, 25/3, 25/4, 25/5 & 25/6 extent Ac. 59.30 gts., of Kancha Gachibowli village, Serilingampally Mandal it is to inform that;

1. As per the Revenue Records, the land in Sy. No. 25 total admeasuring Ac. 2374.02 gts., situated at Kancha Gachibowli village is recorded as Government land. Subsequently the said land was allotted to various organizations / Government institutions viz., Sports Academy (SAAP), International Institute of Information Technology (IIIT), Hyderabad Central University (HCU) and House Sites for State Government Employees.
2. On perusal of the basic revenue records i.e., Khasra Pahani for the year 1954-55 the land in Sy. No. 25 extent Ac. 2374.02 gts., is recorded as Kancha Maktha which is Government land. Further it is informed that no such names were recorded as pattadars in the revenue records at any point of time.
3. During the field enquiry conducted by the Additional Mandal Revenue Inspector of this office, it is revealed that the petitioner are not in possession of the land claimed by them.
4. The allotments made to various organizations / institutions in subject land were not disputed by the petitioner at any point of time. The question of grant of mutation at this point of time deserves no consideration since the said land was already allotted to various institutions / organizations who in turn have established their institutions / offices.

5. The contention that the land in question is private land the Government has no right over the said property is baseless as the subject land is purely Government land and the same is recorded in the revenue records since from 1954-55 to till date.

In view of the above, the request for incorporation of the names in the revenue records and also to issue Pattadar Pass Books and Title Deeds cannot be considered.

  
Deputy Collector & Tahsildar,  
Serilingampally Mandal.

To  
Sri Nawab Mir Salabath Ali Khan & (5) others  
R/o H. No. 8-2-686/16/1/B,  
Road No. 12, Banjara Hills, Hyderabad-34.

Copy to Sri Prabhakar Sripada, Counsel for the petitioners, R/o H. No. 6-1-320, Walker Town, Near Saibaba Temple, Padma Rao Nagar, Secunderabad-500025.