

**(SHOW CAUSE NOTICE BEFORE ADMISSION)  
IN THE HIGH COURT FOR THE STATE OF TELANGANA  
AT HYDERABAD**

FRIDAY, THE ELEVENTH DAY OF AUGUST  
TWO THOUSAND AND TWENTY THREE

:PRESENT:

**THE HON'BLE MRS JUSTICE SUREPALLI NANDA  
WRIT PETITION NO: 21722 OF 2023**

**Between:**

1. Mr. L. Devender Reddy, S/o late L. Koti Reddy
2. Ms. L. Prameela, W/o late L. Koti Reddy
3. Smt. L. Srilata, W/o S. Praveen kumar Reddy
4. Smt. L. Hemalata, W/o M. Shasidhar Reddy

**Petitioners**

**AND**

1. Union of India, Ministry of Home Affairs New Delhi, rep. by its Secretary.
2. Custodian of Enemy Property of India, 1<sup>st</sup> Floor, East Wing, Shivaji Stadium, (Annexe Building), Connaught Place, New Delhi – 110001.
3. The Assistant Custodian of Enemy Property for India Kaiser Bld -1, Hind Building, Currimbhoy Road, Ballard Estate, Mumbai – 38.
4. The State of Telangana, Revenue Department, Secretariate buildings, Hyderabad. Rep. by its Principal Secretary.
5. The District Collector, Ranga Reddy District, at Kongara Kalan, Ranga Reddy District – 501510.

**Respondents**

WHEREAS the Petitioners above named through their Advocate Sri R Sridhar Reddy presented this Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue an appropriate order, writ or direction more particularly one in the nature of writ of mandamus (a) declaring that the property land bearing survey No. 41/p totalling Ac. 16. 16 guntas of Kothwalguda village, Shamshabadmandal, Ranga Reddy district, purchased by the Petitioners' father i.e. Late L. Koti Reddy for a valuable consideration, being the bona fide purchaser from late M.V. Subba Rao, who is an auction purchaser in Court auction in E.P No. 3 of 1963 in Original Suit No. 182 of 1952 on the file of the II Additional District Judge, Shalibanda and sale certificate was issued in his favour dated 10.02.1965, and as per the Bailiff's report dated 15.03.1966, he had been put in possession on 15.03.1966, which property was later gifted to the Petitioners vide registered Gift Deeds Doc. Nos 1765, 1766, 1767 & 1784 of 2000 all dated 13.07.2000, do not come under the purview of the provisions of the Enemy Property Act, 1968, including the Government of India's Notification No. 12/2/65-EPTY, dated 10.09.1965 under the Defence of India Rules, 1962.

Alternatively,

(b) direct the respondents to conduct an enquiry under Section 6 of the Enemy Property Act, 1968 on the Petitions dated 28.01.2021 got issued by the petitioner with regard to land bearing survey No. 41/p total admeasuring Ac. 16.16 guntas of Kothwalguda village, Shamshabadmandal, Ranga Reddy district, purchased by the petitioner's father L. Koti Reddy for a valuable consideration, being the bona fide purchaser purchased vide Sale Deed dated 03.08.1974 from late M.V. Subba Rao, who is an auction purchaser in Court auction in E.P No. 3 of 1963 in Original Suit No. 182 of 1952 on the file of the II Additional District Judge, Shalibanda and sale certificate was issued in his favour dated 10.02.1965, and as per the

Bailiff's report dated 15.03.1966, he had been put in possession on 15.03.1966, and later gifted to the petitioners vide registered gift deeds Doc. Nos 1765, 1766, 1767 & 1784 of 2000 all dated 13.07.2000, do not come under the purview of the provisions of the Enemy Property Act, 1968, including the Government of India's Notification No. 12/2/65-EPTY, dated 10.09.1965 under the Defence of India Rules, 1962, within a reasonable time to be fixed by this Hon'ble Court, in the interest of Justice;

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri R Sridhar Reddy, Advocate for the Petitioners and SRI GADI PRAVEEN KUMAR, for the respondent Nos. 1 to 3 and GP FOR REVENUE, for the respondent Nos. 4 and 5, directed issue of notice to the Respondents herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. The Secretary, Ministry of Home Affairs, Union of India, New Delhi.
2. The Custodian of Enemy Property of India, 1<sup>st</sup> Floor, East Wing, Shivaji Stadium, (Annexe Building), Connaught Place, New Delhi – 110001.
3. The Assistant Custodian of Enemy Property for India Kaiser Bld -1, Hind Building, Currimbhoy Road, Ballard Estate, Mumbai – 38.
4. The Principal Secretary, Revenue Department, State of Telangana, Secretariate buildings, Hyderabad.
5. The District Collector, Ranga Reddy District, at Kongara Kalan, Ranga Reddy District – 501510.

are directed to show cause on or before 04.09.2023 to which date the case stands posted as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted.

The Court made the following:

**ORDER:**

**Notice before admission.**

**Heard the learned counsel for the petitioner.**

**Mr. Gadi Praveen Kumar, the learned Deputy Solicitor General of India, takes notice on behalf of Respondent Nos. 1 to 3.**

**The learned Assistant Government Pleader for Revenue, takes notice on behalf of Respondent Nos. 4 and 5.**

**List on 04.09.2023 along with W.P.Nos.45889 of 2022 and 9478 of 2023 for filing counter affidavit.**

**SD/- MOHD. SANAULLAH ANSARI  
ASSISTANT REGISTRAR**

**//TRUE COPY//**

  
**SECTION OFFICER**

To,

1. The Secretary, Ministry of Home Affairs, Union of India, New Delhi.
2. The Custodian of Enemy Property of India, 1<sup>st</sup> Floor, East Wing, Shivaji Stadium, (Annexe Building), Connaught Place, New Delhi – 110001.
3. The Assistant Custodian of Enemy Property for India Kaiser Bld -1, Hind Building, Currimbhoy Road, Ballard Estate, Mumbai – 38.
4. The Principal Secretary, Revenue Department, State of Telangana, Secretariate buildings, Hyderabad.
5. The District Collector, Ranga Reddy District, at Kongara Kalan, Ranga Reddy District – 501510.  
(Addresses 1 to 5 by RPAD- along with a copy of petition and Affidavit)
6. One CC to Sri R Sridhar Reddy, Advocate [OPUC]
7. Two CCs to GP FOR REVENUE, High Court at Hyderabad.[OUT]
8. One spare copy

**HIGH COURT**

**SN, J**

**DATED:11/08/2023**

**NOTE: LIST ON 04.09.2023  
ALONG WITH W.P.NOS.45889  
OF 2022 AND 9478 OF 2023  
FOR FILING COUNTER AFFIDAVIT.**

**NOTICE BEFORE ADMISSION**

**WP.No.21722 of 2023**

