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G. VENKATASUBBAIAH

B.Com., BL., CAIIB, PG. Diploma in IRPM.

ADVOCATE

Chambers at:

Flat No. 201,
Gharonda Suryaodaya Apartments
OPP KFC,
Himayathnagar,
Hyderabad

Address for Correspondence
G. Venkatasubbaiah

Flat No. 102, Esskay Residency
Door. No. 1-10-1/22, Street No. 5
HYDERABAD - 500020

Phone: Res: 040-27623062

Cell No. 98665 73130

E. Mail: gvenkatasubbaiah@rediffmail.com

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- 2014

Date: 30-09-2014

LEGAL OPINION

To,

M/s. Shantha Sriram Constructions

Oasis Complex,
Somajiguda,
Hyderabad.

Dear Sir,

Sub: M/s. Shanta Sriram Construction Pvt Ltd 2. Sri T. Veerender son of Sri T. Devender Goud 3. M/s. Aswanth Estates Pvt Ltd 4. Smt. E. Adi Lakshmi wife of Sri T. Yadaiah - Verification of Title Deeds and furnishing of Legal Opinion in respect of property situated at Dargah Khalijkhan, Kismatpur Village, Rajendranagar Mandal, Ranga Reddy District.

Ref: As per the instructions of your Branch, on the basis of the Title deeds and other material papers forwarded to me pertaining to the said immovable property and the other information submitted by you. I have conducted a detailed search and investigation and submit my report (LEGAL OPINION) as here under

1. Name and address of the Mortgagor/Title Holder	M/s. Shanta Sriram Construction Pvt Ltd 2. Sri T. Veerender son of Sri T. Devender Goud 3. M/s. Aswanth Estates Pvt Ltd 4. Smt. E. Adi Lakshmi wife of Sri T. Yadaiah.
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2. Description of immovable property
Boundaries (in acres/hectares)

Sy No Extent, Areas/Location/

SCHEDULE OF THE PROPERTY

Schedule No. 1

All that the land admeasuring Acres 1-00 Guntas in Survey No. 140 situated at Kismatpur Village, Rajendranagar Mandal, Ranga Reddy District and bounded by:-

North : Marica High School
South : Vendees agriculture land
East : Agricultural land of vendors
West : 15 wide passage

Schedule No. II

All that the land admeasuring Acres 0-25 Guntas in Survey No. 139/A, Acres 0-21 Guntas in Survey No. 140/E total admeasuring Acres 1-06 Guntas situated at Kismatpur Village, Rajendranagar Mandal, Ranga Reddy District and bounded by:-

North : Agricultural land of Shaik Mohd Bakaraman
South : Agricultural land of MR. Md Hasan Khan and others
East : Agricultural land of vendors
West : Neighbours Agriculture land

Schedule No. III

All that the land admeasuring Acres 1-34 Guntas out of total admeasuring Acres 2-30 Guntas in Survey No. 139 and 140 situated at Dargah Khalijkhan, Kismatpur Village, Rajendranagar Mandal, Ranga Reddy District and bounded by:-

North : Land belonging to Mr. V. Masthan Saheb
South : Neighbours agriculture land
East : Land belonging to Mirza Ahmed Baig
West : Neighbours land

3. Details / Description of the Documents Scrutinized by me:

Sl No	Nature of Document	Date and No Of Document, Executants and Claimants	Remarks Original or Copy etc.
1	Pahani Patrikas	Pahani Patrikas for the year 1970-71, 1989-90, 1990-91, 1994-95, 1998-99, 2000-2001, 2004-2005, 2011-2012 issued by the office of the Deputy Tahsildar, Rajendranagar Mandal, Ranga Reddy District.	Xerox
2	Registered Sale Deed	Registered Sale Deed document no. 1304 of 1980, Book No. 1 registered at the office of the Sub Registrar Hyderabad West.	Xerox
3	Registered Rectification Deed	Registered Rectification Deed document no. 8599 of 1982, Book No. 1 registered at the office of the Sub Registrar Hyderabad West.	Xerox
4	Suit	Suit in OS. No. 169 of 1987 in the Court of the Additional Sub Judge, Ranga Reddy District	Xerox
5	Suit	Suit OS. No. 1132 of 2005 on the File of the Additional Junior Civil Judge, Ranga Reddy District	Xerox
6	Registered AGPA	Registered Agreement of Sale cum General Power of Attorney doc. no. 13198 of 2006 , dated 23-09 2006 regd before SRO. Rajendranagar.	Xerox

7.	Registered Sale Deed	Registered Sale Deed document no. 14632 of 2006 , Book No. 1 dated 30-10-2006 registered at the office of the Sub Registrar Rajendranagar.	Xerox
8	Registered Sale Deed	Registered Sale Deed document no. 31 of 2011, Book No. 1 dated 30-10-2010 registered at the office of the Sub Registrar Gandipet.	Xerox
9.	Pahani Patrikas	Pahani Patrikas for the year 1970-71, 1989-90 issued by the office of the Deputy Tahsildar, Rajendranagar Mandal, Ranga Reddy District.	Xerox
10.	Suit	OS. No. 57 of 1985 on the file of the District Musiff Hyderabad West and South, Ranga Reddy District.	Xerox
11.	Pahani Patrikas	Pahani Patrikas for the year 1995-96, 1998-99, 2004-2005, 2010-2011 issued by the office of the Deputy Tahsildar, Rajendranagar Mandal, Ranga Reddy District.	Xerox
12	Proceedings	Proceedings Nos. D/943/06 issued by the office of the Mandal Revenue Officer Rajendranagar.	Xerox
13.	Registered Sale Deed	Registered Sale Deed document no. 10664 of 2006 , Book No. 1 dated 31-07-2006 registered at the office of the Sub Registrar Rajendranagar.	Xerox
14.	Pahani Patrika	Pahani Patrikas for the year 1970-71, 1989-90, in respect of the lands in Survey No. 139 and 140 issued by the office of the Deputy Tahsildar, Rajendranagar Mandal, Ranga Reddy District.	Xerox
15.	Pahani Patrika	Pahani Patrikas for the year 1995-96, 1998-99, 2004-2005, 2010-2011 issued by the office of the Deputy Tahsildar, Rajendranagar Mandal, Ranga Reddy District.	Xerox
16.	Pattedar Pass Boo	Pattedar Pass Book No. 186444 in its Patta No.104 issued by the office of the Mandal Revenue officer Rajendranagar.	Xerox
17	Registered AGPA	Registered Agreement of Sale Cum General Power of Attorney document no. 13202 of 2005 , Book No. 1 dated 15-12-2005 registered at the office of the Sub Registrar Rajendranagar.	Xerox

18.	Registered Sale Deed	Registered Sale Deed document no. 14631 of 2006 , Book No. 1 dated 30-10-2006 registered at the office of the Sub Registrar Rajendranagar.	Xerox
19	Registered DGPA	Registered Development Agreement Cum General Power of Attorney document no. 14917 of 2006 , Book No. 1 Identification no. 1518-1-14917-2006 dated 13-11-2006 registered at the office of the Sub Registrar Rajendranagar.	Xerox
20.	Land Use certificate	Land use certificate vide its Letter No. 101425/LUC/P5/HMDA/2013 dated 15-04-2013 issued by the office of the Hyderabad Metropolitan Development Authority.	Xerox

TRACING THE TITLE TO THE PARTY'S TITLE FOR 30 YEARS

As per verification of the above documents and recitals therein, I have observed and opined as follows.

Schedule No. 1 acquisition

➤ That the Pahaní Patrikas for the year 1970-71, 1989-90, 1990-91, 1994-95, 1998-99, 2000-2001, 2004-2005, 2011-2012 in respect of the lands in Survey No. 139 and 140 stands in the name of Karim Ali, Gajadhar Raju, Abdul Khan, Babu Khan as the Pattedar and possessors and the same has been issued by the office of the Deputy Tahsildar, Rajendranagar Mandal, Ranga Reddy District.

➤ That Sri Karim Ali and 2 others have sold the property in favour of Sri Mohd Ghouse Khan son of Sri Sarvar Khan has purchased the lands in Survey No. 140 situated at Kismatpur Village, Rajendranagar Mandal, under a Regd Sale Deed document no. 1304 of 1980, Book No. 1 registered at the office of the Sub Registrar Hyderabad West.

- That Sri Karim Ali and 2 others have entered into Rectification Deed in favour of Sri Mohd Ghouse Khan son of Sri Sarvar Khan in respect of the property that the Survey No was wrongly mentioned as 138 instead of 140 and the same has been rectified under a Registered Rectification Deed document no. 8599 of 1982, Book No. 1 registered at the office of the Sub Registrar Hyderabad West.
- It is seen from the recitals of the document that Sri Mohd Ghouse Khan son of Sri Sarvar Khan has sold the property admeasuring Acres 2-08 Guntas in favour of Sri SK. Osman and the said sale deed has not been reduced into writing and remained an oral transaction.
- That Sri SK. Osman filed a suit in OS. No 169 of 1987 in the Court of the Additional Sub Judge, Ranga Reddy District against Mohamemd Ghouse and Karim Ali Khan seeking partition and separate possession of the property and the same has been decreed by a judgement dated 13-04-1997 and the title has been perfected.
- That Sri SK. Osman has entered into agreement of sale dated 28-12-1987 with Sri Shaik MOhd Bakaram for selling the property and that Sri Shaik MOhd Bakaram has filed a Suit OS. No. 1132 of 2005 on the File of the Additional Junior Civil Judge, Ranga Reddy District seeking specific performance of the said agreement and the same was decreed by the Judgement and Decree dated 29-12-2005

➤ That 1. Sri Mohd Ghouse Khan son of Sri Sarvar Khan 2. Sri Shaik Mohd Bakaram has entered into Agreement of Sale Cum General Power of Attorney in favour of **M/s. Saba Housing Pvt Ltd** in respect of the property namely all that the land admeasuring Acres 1-00 Guntas in Survey No. 140 situated at Kismatpur Village, Rajendranagar Mandal, Ranga Reddy District under a Registered **AGPA. Doc. no. 13198 of 2006**, Book No. 1 dated 23-09-2006 registered at the office of the Sub Registrar Rajendranagar.

➤ That 1. Sri Mohd Ghouse Khan son of Sri Sarvar Khan 2. Sri Shaik Mohd Bakaram *represented by AGPA holder M/s. Saba Housing Pvt Ltd* has sold the property in favour of **M/s. Saba Housing Pvt Ltd** in respect of the property namely all that the land admeasuring Acres 1-00 Guntas in Survey No. 140 situated at Kismatpur Village Rajendranagar Mandal, Ranga Reddy District under a Registered **Sale Deed** document no. **14632 of 2006**, Book No. 1 dated 30-10-2006 registered at the office of the Sub Registrar Rajendranagar.

➤ That Shaik Madar, 1st Additional Junior Civil Judge, on behalf of Sri Shaik OSman son of Sri Hasan Bin Ali has executed a Sale Deed in favour of Sri Shaik Mohammed Bakaram under a Registered Sale Deed document no 31 of 2011, Book No. 1 dated 30-10-2010 registered at the office of the Sub Registrar Gandipet.

Schedule No. II acquisition:

- That the Pahani Patrikas for the year 1970-71, 1989-90, in respect of the lands in Survey No. 139 and 140 stands in the name of Karim Ali, Gajadhar Raju, Abdul Khan, Babu Khan as the Pattedar and possessors and the same has been issued by the office of the Deputy Tahsildar, Rajendranagar Mandal, Ranga Reddy District.
- It is seen from the recitals of the document that Sri Babu Khan son of Sri Sharifuddin Khan has sold the property in the year 1967 to Late Ahmed Baig was the absolute owner and peaceful possessors of the agricultural land admeasuring Acres 1-10 Guntas in Survey No. 139/A and Acres 1-20 Guntas in Survey No. 140/E situated at Kismatpur Village, Rajendranagar Mandal, Ranga Reddy District.
- That Sri Mirza Ahmed Baig and his wife Smt. Bismilla Bee perfected their title and possession over the said land by the virtue of the judgement and decree dated 24-10-1986 passed in OS. No. 57 of 1985 on the file of the District Musiff Hyderabad West and South, Ranga Reddy District.
- It is seen from the recitals of the document that Sri Mirza Ahmed Baig was also mutated as Pattedar and possessor in respect of the lands in respect of the lands in Survey No. 139 and 140 and the Pattedar Pass Book No. 231203 and Title Pass No. 36354 has been issued in his name and the same has been issued by the office of the Mandal Revenue Officer Rajendranagar

➤ That the Paham Patrikas for the year 1995-96, 1998-99, 2001-2005, 2010-2011 in respect of the lands in Survey No. 139/1 and 139/2, 140/1 stands in the name of Sri Ahmed Baig and Smt. Bismilla Bee as the Pattedar and possessors and the same has been issued by the office of the Deputy Tahsildar, Rajendranagar Mandal, RR. District.

➤ It is seen from the recitals of the document that Sri Mirza Ahmed Baig died intestate leaving behind 1. Sri Mirza Basheer 2. Sri Mirza Fakru 3. Sri M. Nayeem Baig 4. Sri M. Gousze Baig 5. Sri M. Mohin Baig 6. Sri Ismail Baig 7. Smt. Bismilla Bee 8. Daulath Khanam 9. Sajeed Khanam 10. Chandni Khanam 11. Shaheeh Khanam 12. Munawar Khanam 13. Masrath Khanam as the absolute owners of the owner.

➤ That 1. Sri Mirza Basheer 2. Sri Mirza Fakru 3. Sri M. Nayeem Baig 4. Sri M. Gousze Baig 5. Sri M. Mohin Baig 6. Sri Ismail Baig have been mutated in the revenue records as the Pattedar and Possessors by virtue of the orders dated 06-05-2006 passed in the Proceedings Nos. D/943/06 issued by the office of the Mandal Revenue Officer Rajendranagar.

➤ That 1. Sri Mirza Basheer 2. Sri Mirza Fakru 3. Sri M. Nayeem Baig 4. Sri M. Gousze Baig 5. Sri M. Mohin Baig 6. Sri Ismail Baig 7. Smt. Bismilla Bee 8. Daulath Khanam 9. Sajeed Khanam 10. Chandni Khanam 11. Shaheeh Khanam 12. Munawar Khanam 13. Masrath

Khanam has sold the property in favour of **M/s. Saba Housing Pvt Ltd** in respect of the property namely all that the land admeasuring Acres 0-25 Guntas in Survey No. 139/A, Acres 0-21 Guntas in Survey No. 140/E total admeasuring Acres 1-06 Guntas situated at Kismatpur Village, Rajendranagar Mandal, Ranga Reddy District under a Registered **Sale Deed** document no. **10664 of 2006**, Book No. 1 dated 31-07-2006 registered at the office of the Sub Registrar Rajendranagar.

Schedule No. III acquisition:

- That the Pahani Patrikas for the year 1970-71, 1989-90, in respect of the lands in Survey No. 139 and 140 stands in the name of Karim Ali, Gajadhar Raju, Abdul Khan, Babu Khan as the Pattedar and possessors and the same has been issued by the office of the Deputy Tahsildar, Rajendranagar Mandal, Ranga Reddy District.
- That the Pahani Patrikas for the year 1995-96, 1998-99, 2004-2005, 2010-2011 in respect of the lands in Survey No. 139/1 and 139/2, 140/1 stands in the name of Sri Ahmed Baig and Smt Bismilla Bee as the Pattedar and possessors and the same has been issued by the office of the Deputy Tahsildar, Rajendranagar Mandal, Ranga Reddy District.

➤ That Smt. Bismillah Bee wife of Late Ahmed Baig has been issued Pattedar Pass Book No. 186444 in its Patta No.104 in respect of the lands in Survey No. 139 admeasuring Acre 1-10 Guntas, Survey No. 140 admeasuring Acres 1-20 Guntas total admeasuring Acres 1-20 Guntas issued by the office of the Mandal Revenue officer Rajendranagar.

➤ That Smt. Bismillah Bee wife of Late Ahmed Baig has entered into Agreement of Sale Cum General Power of Attorney in favour of M/s. Saba Housing Pvt Ltd in respect of the property namely all that the land admeasuring Acres 1-10 Guntas in Survey No. 139 and Acres 1-20 Guntas in 140 situated at Dargah Khalijkhan, Kismatpur Village, Rajendranagar Mandal, Ranga Reddy District under a Registered **Agreement of Sale Cum General Power of Attorney** document no. **13202 of 2005**, Book No. 1 dated 15-12-2005 registered at the office of the Sub Registrar Rajendranagar.

➤ That Smt. Bismillah Bee wife of Late Ahmed Baig *represented by AGPA holder M/s. Saba Housing Pvt Ltd* has sold the property in favour of **M/s. Saba Housing Pvt Ltd** in respect of the property namely all that the land admeasuring Acres 1-34 Guntas out of total admeasuring Acres 2-30 Guntas in Survey No. 139 and 140 situated at Dargah Khalijkhan, Kismatpur Village, Rajendranagar Mandal,

under a Regd **Sale Deed** doc. no. **14631 of 2006**, dated 30-10-2006, regd before SRO, Rajendranagar.

DEVELOPMENT AGREEMENT

➤ That M/s. Saba Housing Pvt Ltd 2. M/s. Saba Housing Pvt Ltd has entered into Development Agreement Cum General Power of Attorney in favour of **M/s. Shanta Sriram Construction Pvt Ltd 2. Sri T. Veerender son of Sri T. Devender Goud 3. M/s. Aswanth Estates Pvt Ltd 4. Smt. E. Adi Lakshmi wife of Sri T. Yadaiah** in respect of the properties namely all that the land admeasuring Acres 1-00 Guntas in Survey No. 140 situated at Kismatpur Village, Rajendranagar Mandal, Ranga Reddy District, All that the land admeasuring Acres 0-25 Guntas in Survey No. 139/A, Acres 0-21 Guntas in Survey No. 140/E total admeasuring Acres 1-06 Guntas situated at Kismatpur Village, Rajendranagar Mandal, Ranga Reddy District and All that the land admeasuring Acres 1-34 Guntas out of total admeasuring Acres 2-30 Guntas in Survey No. 139 and 140 situated at Dargah Khalijkhan, Kismatpur Village, Rajendranagar Mandal, Ranga Reddy District under a Registered Development Agreement Cum General Power of Attorney document no. **14917 of 2006**, Book No. 1 Identification no. 1518-1-14917-2006 dated 13-11-2006 registered at the office of the Sub Registrar Rajendranagar That the party of the first party is entitled for 42% of the built up area and 58% of the built area to the second party

- That the Second party of the development agreement is constituted as **M/s. Shanta Sriram Construction Pvt Ltd 2. Sri T. Veerender son of Sri T. Devender Goud 3. M/s. Aswanth Estates Pvt Ltd 4. Smt. E. Adi Lakshmi wife of Sri T. Yadaiah** and that the individually there are entitled for 50% of the built up area to Shanta Sriram Constructions, 30% to T. Veerender, 10% to M/s. Aswanth Estates Pvt Ltd, 10% to E. Adi Lakshmi as their individual shares in the total built up area of the constructed portion.

LAND USE CERTIFICATE

- That the land use certificate vide its Letter No. 101425/LUC/P5/HMDA/2013 dated 15-04-2013 that the lands in Survey Nos. 139 and 140 are classified as Major part special development zone (multipurpose use zone) and minor part affecting under proposed 30 mts, 100 wide ORR Grid road and the same has been issued by the office of the Hyderabad Metropolitan Development Authority.

- ❖ **Layout sanction has been produced**
- ❖ **Construction permission not submitted**

4 Search in Sub-Registrar's Office

A. Location of property

: Kismatpur Village,
Rajendranagar Mandal,
Ranga Reddy District

(The particulars of the sub-district within which address of the registering officer

: SRO,
Rajendranagar

B. Search and Investigation

: Search Report submitted.
The title is traced since
1970 onwards

i. (The search in the records such as Index No.1, Index No.2, Book No.1/ Supplementary

Book No.1 should be made for the past 30 years to trace any encumbrance is created on the property. A brief narration may be given on the route and chain of title for 30 years and how the title is conferred on the mortgagor. The details of the books/ indexes searched by Advocate to be stated. In the event of any break in the chain of title or in case of any mortgage, charge or encumbrance subsists over the property, the details thereof specifying how the break in the chain of title took place to be stated)

ii) Confirm and state that the original title deeds submitted are the originals registered before the Registrar of Assurance

: **The originals have not been verified.**

iii) Whether the property is ancestral and/or under joint ownership. If so, details of the Co-parceners/Karta and/or the Co-owners. The respective shares should be incorporated specifically.

: The property is self acquired property.

v) Minor's interest

: No minor's interest is involved

Any minor's interest if involved in the property proposed to be mortgaged or any other claims. If minor's interest is involved, what precautions are to be taken to protect Bank's interest as a mortgagee to be stated? Please note that if the property belongs to a minor Permission of Court is generally required to create the mortgage of the property

vii Documents pending for registration
The enquiry is to be made whether any document creating mortgage, charge or encumbrance is pending registration in the concerned SRO are to be stated. If so, full details of such charge etc., of charge holders' should be specified.

No pendency of document for registration

5) Whether Urban Land (Ceiling and Regulation) Act 1976 is applicable in the State where the property is located. If applicable whether or the immovable property(ies) fall(s) within the purview of the Act, verification and investigation should be made under sections 26, 27 and 28 of the Act to ensure that mortgagor(s) has/have obtained necessary permission from the competent authority under the Act. Documentary evidence showing such permission is obtained has to be attached with the report.

ULC is not applicable

6) Whether the property is acquired under Land Acquisition Act, 1894 and applicability of other State Legislations

Not Applicable

7) Leasehold immovable Property (Where land/ building is leasehold, please verify the terms of lease, whether any permission/NOC from the lessors/competent authority is required for creation of mortgage of such leasehold property and advice the precautions to be taken while obtaining such property in mortgage).

Not a leased property

8) Investigation under Income Tax Act 1961 (Any permission of the concerned Assessing Officer under any of the provisions of I.T. Act is required for creating mortgage or any Certificate to be submitted to the Bank to show that no dues are outstanding to Income Tax Dept

Not applicable

- ✓ An Encumbrance certificate has been applied in the office of the Ranga Reddy through MEE SEVA Center vide its Statement No. 829536 of 2014 dated 03-03-2014 for the period of 13 years from 01-01-1982 to 30-04-1995 which reveals nil encumbrances and that there are no other entries adverse.

CERTIFICATE

I certify that M/s. Shanta Sriram Construction Pvt Ltd 2. Sri T. Veerender son of Sri T. Devender Goud 3. M/s. Aswanth Estates Pvt Ltd 4. Smt. E. Adi Lakshmi wife of Sri T. Yadaiah has a clear, absolute and marketable title over the property.

DOCUMENTS TO BE DEPOSITED FOR CREATION OF EQUITABLE MORTGAGE in case the company is availing limits from the Banks:

- ✓ Original Registered Development Agreement Cum General Power of Attorney document no. 14917 of 2006. Book No. 1 Identification no 1518-1-14917-2006 dated 13-11-2006 registered at the office of the Sub Registrar Rajendranagar.

Latest ECS for the subejcted property.

All the docuemnts (copies) sent to me are returned herewith.

Thanks and Regards

G. Venkatasubbaiah
Advocate.

Encl: As mentioned Above.