

24th Nov 11 (Date pub)
3103/94

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Title Investigation Report

- 1. Name of the Borrower*** :Nagarjuna Fertilizers and Chemicals Ltd., Hyderabad
- 2. Name of the Mortgagor** :Nagarjuna Fertilizers and Chemicals Ltd., Hyderabad

3. Description of the Property:

All that, piece and parcel of the Agricultural land admeasuring Ac. admeasuring Ac. 2-02 Gts in Sy. No. 1195 and Ac 2-05 Gts., in Sy. No. 1197 totally admeasuring Ac 4-07 Gts., situated at Wargal Village and Mandal, Medak District, Telangana State, situate within the limits of Registration District: Medak and Sub-Registrar Office: Gajwel and bounded as under:

North : Neighbours property
South : Neighbours property
East : Neighbours property
West : Neighbours property

4. Documents Perused (All Xerox Copies) :

Sl. No.	Date of Document	Description of the Document
1.	24-11-1994	Regd. Sale Deed executed by Nagarjuna Finance Limited, Hyderabad through its registered GPA holder V. Shiva Varma (Doc. No. 1586/94) in favour of Nagarjuna Fertilizers and Chemicals Limited vide Doc. No. 3103/94 registered on 25-11-1994, in the O/o. SRO Gajwel.
2.	22-07-1994	Registered General Power of Attorney executed by Nagarjuna Finance Limited, Hyderabad in favour of V. Shiva Varma, S/o. Subba Raju, vide Doc. No. 1586/94 registered in the O/o. RO Ranga Reddy.



3.	25-09-1993	Regd. Sale Deed executed by T. Rami Reddy, S/o. Venkat Reddy in favour Nagarjuna Finance Limited, Hyderabad vide Doc. No. 2473/93 registered on 28-09-1993 in the O/o. SRO Gajwel.
4.	13-09-2015	Statement of Encumbrance on Property vide App. No. 433589 downloaded by me from the website of the registration department for the period from 01-01-1983 to 12-09-2015.
5.	24-06-2016	Statement of Encumbrance on Property vide G.S No. 2461/2016 issued by SRO Gajwel for the period from 01-01-1983 to 23-06-2016.

Common Documents : (Xerox copies of the Certified Copies)

Sl. No.	Date of Document	Description of the Document
1.	04-12-2015	Memo issued by Deputy Tahsildar, Wargal Mandal vide No. R/216/15, regarding non availability of Khasra Pahanies for the year 1954-55 for the lands comprised in Sy. No. 1194, 1195, 1196, 1197, 1198, 1199, 1200, 1201, 1202, 1219, 1220, 1221, 1222, 1223, 1224, 2098 and 1209 of Wargal Mandal, Medak District.
2.	04-12-2015	Memo issued by Deputy Tahsildar, Wargal Mandal vide No. R/216/15, regarding non availability of Wasool Bhaki for the lands comprised in Sy. No. 1194, 1195, 1196, 1197, 1198, 1199, 1200, 1201, 1202, 1219, 1220, 1221, 1222, 1223, 1224, 2098 and 1209 of Wargal Mandal, Medak District.
3.		Seshala Pahani for the year 1955-58
4.		Pahanies for the year 1960-61, 1965-66, 1970-71, 1975-76, 1980-81, 1983-84, 1985-86, 1990-91, 1995-96, 2001-2002, 2004-05, 2010-11 and 2012-13, issued by Revenue Authorities.
5.		ROR issued by Deputy Tahsildar, Wargal Mandal for the years 1979-80 and 1989-90.
6.	22-10-2013	Tax paid receipt issued by Panchayath Secretary of Gowraram Village for the period from 2013- March 2014 in respect of H. No. 4-97.
7.	22-10-2013	Tax paid receipt issued by Panchayath Secretary, Gowraram Village, for the period from 2013- March 2014 in respect of H. No. 4-98/1.
8.	22-10-2013	Tax paid receipt issued by Panchayath Secretary, Gowraram for the period from 2013- March 2014 in respect of H. No. 4-98.
9.	21-08-2013	Tax demand notice issued by Panchayath Secretary, Gowraram Village for payment tax for the period from 2013- March 2014 in respect of H. No. 4-98/1.



10.	21-08-2013	Tax demand notice issued by Panchayath Secretary, Gowraram Village for payment tax for the period from 2013- March 2014 in respect of H. No. 4-98.
11.	21-08-2013	Tax demand notice issued by Panchayath Secretary Gowraram Village for payment tax for the period from 2013- March 2014 in respect of H. No. 4-97.
12.	10-06-2014	Tax demand notice issued by Panchayath Secretary, Gowraram Village for payment tax for the period from 2014- March 2015.
13.	05-07-2014	Tax paid receipt No. 48 issued by Panchayath Secretary Gowraram Village for the period from 2014- March 2015 in respect of H. No. 4-98 & 4-97.
14.	20-01-2014	Tax paid receipt No. 20 issued by Panchayath Secretary Gowraram Village for the period from 2013- March 2015 in respect of H. No. 4-98.
15.	21-12-2015	Tax demand notice issued by Panchayath Secretary, Gowraram Village and payment made thereof for the period from 01-04- 2015- 31-03-2016 in respect of H. No. 4-98.
16.	03-03-2010	Construction permission issued with map by Surpanch, Gowraram Village, Wargal Mandal, Medak District.
17.		Pattedar Pass Book and Title Deed issued by Revenue Authorities in favour of K.S. Raju of Nagrjuna Fertilizers and Chemicals Limited.
18.	06-05-2016	Search receipts No. 66, 67, 68, 69 and 70 issued by SRO Gajwel.

5. Flow of Title:

Sy. No. 1195 and 1197:

From the above said documents submitted by the Borrower, more particularly from the registered sale deed dated 25-09-1993 vide Doc. No. 2473/93 executed by T. Rami Reddy, S/o. Venkat Reddy in favour of Nagarjuna Finance Limited, Hyderabad it is observed that the said T. Rami Reddy has conveyed land to an extent of Ac 2-02 Gts., in Sy. No. 1195, Ac 1-38 Gts., in Sy. No. 1196 and Ac 2-05 Gts., in Sy. No. 1197 totally admeasuring Ac 6-05 Gts., situated at Wargal Village and Mandal, Medak District. Further it is observed that the said Nagarjuna Finance Limited subsequent to its acquiring the land admeasuring Ac 2-02 Gts. in Sy. No. 1195 and Ac 2-05 Gts., in Sy. No. 1197 totally admeasuring Ac



4-07 Gts., through registered sale deed dated 25-09-1993 vide Doc. No. 2473/93 in turn sold the said land in favour of Nagarjuna Fertilizers and Chemicals Limited through registered sale deed dated 24-11-1994 vide Doc. No. 3103/94 registered in the O/o. SRO Gajwel. **Further the SRO has made a note on Page 2 of the Sale deed that one extra copy is registered along with the original sale deed. Hence both original and extra registered copy has to be collected by the Bank at the time of creation of mortgage.**

But in the sale deed vide Doc. No. 2473/93 executed by T. Rami Reddy in favour of Nagarjuna Finance Limited, it is not mentioned as to how the said T. Rami Reddy has acquired the above said lands. Further, his name is also not seen/appeared in any of the pahanies submitted by the Borrower in respect of the lands forming part of in the above said survey numbers.

Further in other legal opinions where the land in Survey numbers 1194 to 1198 are conveyed in favour of the Borrower we have already clarified that the extents purchased by the Borrower in the above said survey numbers are in excess of the actual land that exists as per the recordings of the Revenue Department and we have advised the Bank to take into consideration of the original extents as recorded in the Revenue records and also the Pattedar Passbook issued in favour of the Borrower.

Our observations made with respect to above said Survey Numbers in earlier TIRs is given below for your ready reference:

Further on perusal of the other sale transactions and their link documents and the sale transactions under the present TIR, it is observed that the Borrower has acquired lands in subject survey numbers viz., 1194, 1195, 1196, 1197 and 1198 and when all the extents of the land acquired by the Borrower were put together it is



found that the Borrower has got excess of the lands than the original extents of the land recorded in revenue records viz., pahanies, old ROR for the year 1979-80 and ROR for the year 1989-90. However, from the IB- ROR downloaded by me from the website it is observed that the original extents of the land were recorded in the sad survey numbers though the Borrower has purchased excess extents of the lands by virtue of various sale deeds and the details of which are given hereunder. As such the Bank has to take into consideration only the extent recorded in IB-ROR and Pattedar Pass Book and Title Deed issued by the Revenue Authorities in favour of the Borrower. However, the Bank shall ensure that all the sale deeds and their link documents are deposited with the Bank at the time of creation of mortgage in order to avoid any further mortgages/litigations etc.

In respect of Land in Sy. No. 1195

Doc. No.	Extent Alienated Ac- Gts	Original Extent as per Revenue Records Ac-Gts	Excess Ac-Gts
2308/94	1-21 ½	2-02	2-25
3198/96	0-09		
3145/96	0-19		
3197/96	0-15 ½		
3103/94	2-02		
Total	4-27	2-02	2-25

In respect of Land in Sy. No. 1197

Doc. No.	Extent Alienated Ac- Gts	Original Extent as per Revenue Records Ac-Gts	Excess Ac-Gts
2308/94	1-23	2-05	2-29
3198/96	0-10		
3145/96	0-19		



3197/96	0-17		
3103/94	2-05		
Total	4-34	2-05	2-29

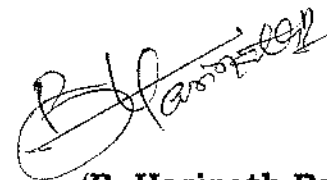
In view of the above said discrepancy it is advised that the land conveyed in favour of the Borrower in respect of the land admeasuring Ac 2-02 Gts., in Sy. No. 1195 and Ac 2-05 Gts., in Sy. No. 1197 totally admeasuring Ac 4-07 Gts., situated at Wargal Village and Mandal Medak District through registered sale deed dated 24-11-1994 vide Doc. No. 3103/94 shall be kept outside purview of consideration. Further, it is advised that the Bank shall collect all the sale deeds of the Borrower irrespective of the extents of the lands conveyed in the above said survey numbers viz., 1194 to 1198 in its favour through various sale transactions.

6. Conclusion and Recommendations:

Thus, with the above said observations, on the basis of documents submitted by the mortgagor I am of the opinion that the mortgagor has acquired excess extents of lands in Sy. No. 1194 to 1198 including the subject lands in Sy. No. 1195 and 1197. As such the subject lands cannot be taken into consideration while compiling the total extent of the land held by the Borrower for creation of security in Sy. Nos. 1194 to 1198 situated at Wargal Village and Mandal, Medak District.

Dated: 29-06-2016

Place: Hyderabad



(B. Harinath Rao)

B. HARINATH RAO

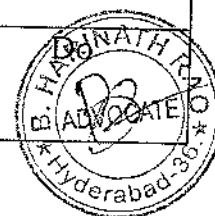
ADVOCATE

Flat No. 402, #16-11-310/10,
Sriroshi Emerald, 4th Floor, Saleem Nagar,
Malakpet, Hyderabad-500 036. (A.P.)

**Documents to be submitted by the mortgagor to the bank for
creation of equitable mortgage.**

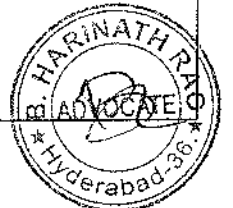
**SCHEDULE - I
(LIST OF TITLE DEEDS)**

Sl. No.	Description of the Document	Documents to be collected
1.	Regd. Sale Deed dated 24-11-1994 executed by Nagarjuna Finance Limited, Hyderabad through its registered GPA holder V. Shiva Varma (Doc. No. 1586/94) in favour of Nagarjuna Fertilizers and Chemicals Limited vide Doc. No. 3103/94 registered on 25-11-1994, in the O/o. SRO Gajwel.	Original
2.	Extra Copy of Regd. Sale Deed dated 24-11-1994 executed by Nagarjuna Finance Limited, Hyderabad through its registered GPA holder V. Shiva Varma (Doc. No. 1586/94) in favour of Nagarjuna Fertilizers and Chemicals Limited vide Doc. No. 3103/94 registered on 25-11-1994, in the O/o. SRO Gajwel.	Do
3.	Registered General Power of Attorney dated 22-07-1994 executed by Nagarjuna Finance Limited, Hyderabad in favour of V. Shiva Varma, S/o. Subba Raju, vide Doc. No. 1586/94 registered in the O/o. RO Ranga Reddy.	Copy
4.	Regd. Sale Deed dated 25-09-1993 executed by T. Rami Reddy, S/o. Venkat Reddy in favour Nagarjuna Finance Limited, Hyderabad vide Doc. No. 2473/93 registered on 28-09-1993 in the O/o. SRO Gajwel.	Do
5.	Statement of Encumbrance on Property dated 13-09-2015 vide App. No. 433589 downloaded by me from the website of the registration department for the period from 01-01-1983 to 12-09-2015.	Original
6.	Statement of Encumbrance on Property dated 24-06-2016 vide G.S No. 2461/2016 issued by SRO Gajwel for the period from 01-01-1983 to 23-06-2016.	



Common Documents: -

Sl. No.	Description of the Document	Documents to be collected
1.	Memo dated 04-12-2015 issued by Deputy Tahsildar, Wargal Mandal vide No. R/216/15, regarding non availability of Khasra Pahanies for the year 1954-55 for the lands comprised in Sy. No. 1194, 1195, 1196, 1197, 1198, 1199, 1200, 1201, 1202, 1219, 1220, 1221, 1222, 1223, 1224, 2098 and 1209 of Wargal Mandal, Medak District.	Original
2.	Memo dated 04-12-2015 issued by Deputy Tahsildar, Wargal Mandal vide No. R/216/15, regarding non availability of Wasool Bhaki for the lands comprised in Sy. No. 1194, 1195, 1196, 1197, 1198, 1199, 1200, 1201, 1202, 1219, 1220, 1221, 1222, 1223, 1224, 2098 and 1209 of Wargal Mandal, Medak District.	Do
3.	Seshala Pahani for the year 1955-58	Certified Copy
4.	Pahanies for the year 1960-61, 1965-66, 1970-71, 1975-76, 1980-81, 1983-84, 1985-86, 1990-91, 1995-96, 2001-2002, 2004-05, 2010-11 and 2012-13, issued by Revenue Authorities.	Do
5.	ROR issued by Deputy Tahsildar, Wargal Mandal for the years 1979-80 and 1989-90.	Do
6.	Tax paid receipt dated 22-10-2013 issued by Panchayath Secretary of Gowraram Village for the period from 2013- March 2014 in respect of H. No. 4-97.	Original
7.	Tax paid receipt dated 22-10-2013 issued by Panchayath Secretary, Gowraram Village, for the period from 2013- March 2014 in respect of H. No. 4-98/1.	Do
8.	Tax paid receipt dated 22-10-2013 issued by Panchayath Secretary, Gowraram for the period from 2013- March 2014 in respect of H. No. 4-98.	Do
9.	Tax demand notice dated 21-08-2013 issued by Panchayath Secretary, Gowraram Village for payment tax for the period from 2013- March 2014 in respect of H. No. 4-98/1.	Do
10.	Tax demand notice dated 21-08-2013 issued by Panchayath Secretary, Gowraram Village for payment tax for the period from 2013- March 2014 in respect of H. No. 4-98.	Do



11.	Tax demand notice dated 21-08-2013 issued by Panchayath Secretary Gowraram Village for payment tax for the period from 2013- March 2014 in respect of H. No. 4-97.	Do
12.	Tax demand notice dated 10-06-2014 issued by Panchayath Secretary, Gowraram Village for payment tax for the period from 2014- March 2015.	Do
13.	Tax paid receipt No. 48 dated 05-07-2014 issued by Panchayath Secretary Gowraram Village for the period from 2014- March 2015 in respect of H. No. 4-98 & 4-97.	Do
14.	Tax paid receipt No. 20 dated 20-01-2014 issued by Panchayath Secretary Gowraram Village for the period from 2013- March 2015 in respect of H. No. 4-98.	Do
15.	Tax demand notice dated 21-12-2015 issued by Panchayath Secretary, Gowraram Village and payment made thereof for the period from 01-04-2015- 31-03-2016 in respect of H. No. 4-98.	Do
16.	Construction permission dated 03-03-2010 issued with map by Surpanch, Gowraram Village, Wargal Mandal, Medak District.	Copy
17.	Pattedar Pass Book and Title Deed issued by Revenue Authorities in favour of K.S. Raju of Nagrjuna Fertilizers and Chemicals Limited.	Original
18.	Search receipts No. 66, 67, 68, 69 and 70 issued by SRO Gajwel dated 06-05-2016.	



