

IN THE COURT OF VI ADDITIONAL JUNIOR CIVIL JUDGE
RANGA REDDY DISTRICT AT L.B.NAGAR

Present : Sri.Banoth Kiran Teja,
VI Additional Junior Civil Judge
Ranga Reddy District at L.B. Nagar

Wednesday, this the 12th day of August, 2026

O.S. No.303 of 2026

BETWEEN:

1. Gade Bala Karthik Manoj Reddy,
Aged about 33 yrs, Occ:Business,
R/o.H. No.10-36, Rentachintala,
Guntur, Andhra Pradesh.
Presently residing at
R/o. Flat No.101, in First Floor,
“Avani Icon” Viswesvaraya Engineering Colony,
Karmanghat Village, Saroornagar Mandal,
under GHMC L.B.Nagar Circle,
Ranga Reddy District, Telangana State.
2. Sri Banda Santhosh, S/o.B.Innaiah,
Aged about 53 yrs, Occ:Business.
3. Smt. Banda Maria Nakshatram, W/o.B.Santhosh,
Aged about 63 yrs, Occ:Business.

Plaintiffs No.2 & 3 are R/o.H.No.2-24-107/1/B,
Laxminarayana Colony, Ida Uppal, Medchal -
Malkajgiri District, Telangana State.

...Plaintiffs

AND

1. The Tahsildar Saroornagar Mandal,
Ranga Reddy District, Telangana State.
2. All concerned

...Defendants

*This suit is coming before me on 28-07-2026 for final hearing in the presence of **Sri P.Rajender Reddy**, the learned counsel for the plaintiffs and*

the defendants No.1 and 2 were remained exparte and the matter having stood over for consideration to this day, this court delivered the following:

:: J U D G M E N T ::

1. This suit is filed for declaration that plaintiffs are the legal heirs of the deceased Smt. Late Bandha Shanthi, in respect of the Suit Schedule A & B properties. (hereinafter referred to as “deceased”).

2. The brief averments of the plaint are that :

i) The plaintiffs submit that the plaintiff No.1 is the husband and plaintiffs No.2 & 3 are the father and mother of deceased Smt. Bandha Shanthi who died on 14.08.2025.

ii) The plaintiffs submit that the plaintiff No.1 and his wife Late Smt. Bandha Shanthi are the joint owners of all that the piece and parcel of Semi-Finished Flat No.101, in First Floor in “Avani Icon” with plinth area of 1200 Sq. feets and car parking area of 80 Sq. feet along with an undivided share of land admeasuring 43.75 sq. yards, out of total land admeasuring 350 sq. yards, constructed on Plot No.41, in Sy. No.59 (part) under Ward No.8, Block No.7, situated at Viswesvaraya Engineering Colony of Karmanghat Village, Saroornagar Mandal, under G.H.M.C. L.B.Nagar Circle, Ranga Reddy District, Telangana State, having purchased the same vide Registered Sale Deed bearing Doc. No.6575 of 2024 dated 10-07-2024, registered at SRO, L.B.Nagar, Ranga Reddy District.

iii) The plaintiffs further submitted that, the wife of plaintiff No.1 Smt. Late Bandha Shanthi has also jointly purchased the open plot bearing

Plot No.120 admeasuring 500 Sq. yards or 418.05 Sq. meters, in Sy. No.49/A, situated at Aliyabad Village, Kondapur Mandal, Sangareddy District, Telangana State, having purchased the same vide Registered Sale Deed bearing Doc. No.10578 of 2021 dated 29-12-2021 registered at SRO, Sadasivpet, along with Smt. Gade Fathima Rani, W/o.G.Lourdu Reddy, who is the mother of plaintiff No.1 and mother in law of deceased. The deceased wife of plaintiff No.1 is entitled her half share i.e. 250 Sq. yards out of the said 500 sq. yds in plot No.120.

iv) The plaintiffs further submitted that during the life time of Late Smt. Bandha Shanthi/wife of plaintiff No.1 and plaintiff No.1 are in joint possession in respect of the suit schedule A property and after the demise of Late Smt. Bandha Shanthi, the plaintiff No.1 herein succeeded the same and he is in peaceful possession and enjoyment over the Schedule-A property. Similarly, the wife of the plaintiff No.1 Late Smt. Bandha Shanthi and her mother in law are in joint and peaceful possession and enjoyment of the schedule-B property and after her demise the plaintiff No.1 is succeeded her share in schedule B Property and he is in peaceful possession and enjoyment over the same till date along with his mother namely Smt. Gadhe Fathima Rani.

v) The plaintiffs further submitted that Late Smt. Bandha Shanthi, W/o.Gade Bala Karthik Manoj Reddy died on 14-08-2025 leaving behind her husband i.e., plaintiff No.1 and her mother & father who are the plaintiffs No.2 & 3 herein, and they are the only legal heirs of Late Smt. Bandha Shanthi. Since the name of Late Smt. Bandha Shanthi, W/o.Gade Bala

Karthik Manoj Reddy, was reflected in concern revenue records in respect of Schedule 'A & B properties and after her demise in order to enjoy and develop the suit schedule A & B properties. The plaintiffs herein during the first week of November, 2025 approached the defendant No.1 to mutate their name in the concern revenue records as legal heirs of Late Smt. Bandha Shanthi. For which the defendant No.1 advised to obtain a legal heirs certificate from the competent civil court, and then after only he can mutate plaintiffs in revenue records. Therefore, having left with other option the plaintiffs herein approached this court seeking declaration to declare the plaintiffs as legal heirs of Late Smt. Bandha Shanthi. The plaintiffs further submits that except the plaintiffs, there are no other legal heirs to the deceased Bandha Shanthi. Hence, the suit.

3. The suit summons served to defendant No.1, there was no representation. Hence, defendant No.1 was set exparte. The suit summons served to defendant No.2 by the way of paper publication and the proof of the same is filed in this court, no objections received. Hence, defendant No.2 is set exparte vide docket order, dated 10-06-2026.

4. During the course of trial, plaintiff No.1 was examined as PW1 and exhibited Ex.A1 to Ex.A12. On the other hand, no oral and documentary evidence adduced on behalf of the defendants.

5. Heard the arguments by the learned counsel for the plaintiffs and perused the material available on record.

6. Now, the point that arose for consideration is – ***“Whether the plaintiffs are entitled to declare them as legal heirs of the deceased Smt. Late Bandha Shanthi, in respect of suit schedule properties A and B, as prayed for?”***

POINT :-

7. This is a suit filed for declaration that plaintiffs are the legal heirs of deceased Smt. Late Bandha Shanthi, in respect of suit schedule properties A and B.

8. The plaintiff No.1 was examined as PW1 and reiterated the contents in the plaint and further submitted that they are the only legal heirs of deceased Smt. Late Bandha Shanthi. In support of his testimony, PW1 filed the following documents :-

- a) Ex.A1 : Certified copy of Registered Sale Deed bearing Doc. No.6575 of 2024, dated 10-07-2024.
- b) Ex.A2 : Certified copy of Registered Sale Deed bearing Doc. No.10578 of 2021, dated 29-12-2021.
- c) Ex.A3 : Original Death Certificate of Late Smt. Bandha Shanthi.
- d) Ex.A4 : Original Copy of Aadhar card of plaintiff No.1.
- e) Ex.A5 : Original Copy of Aadhar card of plaintiff No.2.
- f) Ex.A6 : Original Copy of Aadhar card of plaintiff No.3.
- g) Ex.A7 : Original Copy of Marriage Certificate of Plaintiff No.1.

- h) Ex.A8 : Certified copy of Encumbrance certificate pertaining to schedule A property.
- i) Ex.A9 : Certified Copy of Encumbrance certificate pertaining to schedule B property.
- j) Ex.A10 : Original Market Value Certificate of schedule A property.
- k) Ex.A11 : Original Market Value Certificate of Schedule B property.
- l) Ex.A12 : Original copy of Aadhar card of deceased Smt. Late B.Shanthi.

From the above documentary evidence the Ex.A3 to A7 and A12 corroborates the plaintiffs claim as the legal heirs of deceased Smt. Late Bandha Shanthi.

9. The oral evidence of PW1 and the documentary evidence under Ex.A1 to Ex.A12 are remained unchallenged. The oral evidence and documents under Ex.A3 to Ex.A7, and A12 proves the case of the plaintiffs. The plaintiffs are able to establish that they are the only legal heirs of deceased Smt. Late Bandha Shanthi. Therefore, as to the oral and documentary evidence, it is clear that the plaintiffs are the legal heirs of deceased Smt. Late Bandha Shanthi. Point is answered accordingly in favour of the plaintiffs.

10. The next relief which is sought for by the plaintiffs is to declare them as legal heirs in respect of the suit schedule A and B properties. The question now is whether the plaintiffs are entitled to be declared as successors/owners in respect of the suit schedule A and B properties. It

is pertinent to refer to Section 34 of the Specific Relief Act, which is extracted hereunder.

“Section 34. Discretion of court as to declaration of status or right: Any person entitled to any legal character, or to any right as to any property, may institute a suit against any person denying, or interested to deny, his title to such character or right, and the court may in its discretion make therein a declaration that he is so entitled, and the plaintiff need not in such suit ask for any further relief:

Provided that no court shall make any such declaration where the plaintiff, being able to seek further relief than a mere declaration of title, omits to do so.

Explanation- A trustee of property is a “ person interested to deny” a title adverse to the title of someone who is not in existence, and for whom, if in existence, he would be a trustee.”

11. A plain reading of Section 34 makes it abundantly clear that any person who is entitled to any legal character or to any right with respect to any property may institute a suit against any person who is denying his title to such character or right by seeking the relief of declaration of his title. Thus, in order to seek the relief of declaration of title by a person, he must plead and prove that his title to the property has been challenged or denied by the opposite party (defendant) in the suit. In other words, the cause of action for filing the suit for declaration of title arises only when the defendant denies the title of the plaintiffs and thus plaintiffs are entitled to file a suit for declaration only on the basis of such cause of action.

12. In the instant case, the plaintiffs have filed (Ex.A1 and A2) Certified copies of registered sale deed bearing documents No.6575/2024 and 10578/2021 executed in favour of Bandha Shanthi (deceased) in respect of suit schedule A and B properties and Ex.A8 to A13 are Encumbrance certificates and Market Value certificates of the suit schedule A and B properties.

13. But the plaintiffs are totally silent about any denial of title of the plaintiffs by the defendants or any other person. From the said circumstance, it cannot be said by any stretch of imagination that defendants are interested to deny the title of the plaintiffs. In the absence of any specific pleading or any iota of evidence showing that the title of the plaintiffs was either denied or disputed by the defendants or any other person or persons claiming through them, the other relief of declaration of the ownership of the plaintiffs as sought for by plaintiffs is not maintainable in law and therefore, this Court is not inclined to grant the same.

14. For the above reason, this Court is inclined to grant only the prayer for declaration of the legal status of Plaintiffs as legal heirs of deceased Smt. Late Bandha Shanthi. In so far as the other relief seeking to declare the plaintiffs as successors/title holders of the suit properties is concerned, this court is of the view that plaintiffs are not entitled to seek the said relief. Point is answered accordingly.

15. **In the result**, the suit is decreed part, declaring the plaintiffs No.1 to 3 are the legal heirs of the deceased Smt. Late Bandha Shanthi. There is no order as to cost.

Typed to my dictation by Stenographer on computer, corrected and pronounced by me in open court on this the 12th day of August, 2026.

VI ADDITIONAL JUNIOR CIVIL JUDGE
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APPENDIX OF EVIDENCE
WITNESS EXAMINED

FOR PLAINTIFFS :

PW1 : Gade Bala Karthik Manoj Reddy

FOR DEFENDANTS :

- None -

DOCUMENTS MARKED

FOR PLAINTIFFS :

- Ex.A1 : Certified copy of Registered Sale Deed bearing Doc. No.6575 of 2024, dated 10-07-2024.
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- Ex.A3 : Original Death Certificate of Late Smt. Bandha Shanthi.
- Ex.A4 : Original Copy of Aadhar card of plaintiff No.1.
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- Ex.A7 : Original Copy of Marriage Certificate of Plaintiff No.1.
- Ex.A8 : Certified copy of Encumbrance certificate pertaining to schedule A property.

Ex.A9 : Certified Copy of Encumbrance certificate pertaining to schedule B property.

Ex.A10 : Original Market Value Certificate of schedule A property.

Ex.A11 : Original Market Value Certificate of Schedule B property.

Ex.A12 : Original copy of Aadhar card of deceased Smt. Late B.Shanthi.

FOR DEFENDANTS :

- Nil -

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