



IN THE COURT OF ADDITIONAL SENIOR CIVIL JUDGE
AT BHADRAVATHI

DATED THIS THE 4TH DAY OF JULY 2025

: P R E S E N T :

SRI. T.SRIKANTH, B.A.L.,LL.B.,
ADDL. SENIOR CIVIL JUDGE, BHADRAVATHI.

O.S NO.76/2023

BETWEEN :

1. D.N.KUMARASWAMY
SINCE DEAD BY LRS.

1(A) SMT C.MANJULA
W/O LATE D.N.KUMARASWAMY,
AGED ABOUT 55 YEARS.

1(B) SRI K.VINAY
W/O LATE D.N.KUMARASWAMY,
AGED ABOUT 36 YEARS.

1(C) SRI K.AJAY
W/O LATE D.N.KUMARASWAMY,
AGED ABOUT 34 YEARS.

2. SMT SUMITHRA
W/O LATE N.DEVENDRA,
AGED ABOUT 45 YEARS.

3. SMT D.SUSHMITHA
W/O SHREE KRISHNA P AITAL,
AGED ABOUT 28 YEARS.



4. SRI D.GANGADHARA
S/O LATE N.DEVENDRA,
AGED ABOUT 25 YEARS.

ALL ARE AGRICULTURISTS,
R/O TASHKENT NAGARA VILLAGE,
MARUTHI NAGARA POST,
BHADRAVATHI TALUK,
SHIVAMOGGA DISTRICT.

PLAINTIFFS

(BY SRI SHARATH KUMAR., ADVOCATE)

AND :

1. GOVERNMENT OF KARNATAKA
REPRESENTED BY DEPUTY COMMISSIONER,
SHIVAMOGGA DISTRICT,
OFFICE OF D.C.,
SAVALANGA ROAD,
SHIVAMOGGA.

2. THE ASSISTANT COMMISSIONER,
SHIVAMOGGA SUB-DIVISION,
OFFICE OF THE ASSISTANT COMMISSIONER,
SHIVAMOGGA.

3. THE TAHASILDAR,
BHADRAVATHI, TALUK OFFICE COMPLEX,
TALUK OFFICE ROAD,
BHADRAVATHI.

4. ASSISTANT DIRECTOR OF LAND RECORDS,
BHADRAVATHI, TALUK OFFICE COMPLEX,
TALUK OFFICE ROAD,
BHADRAVATHI.

5. SRI RAMANNA,
S/O K.KENCHAIHAH,
AGED ABOUT 58 YEARS,
R/O YAREHALLI VILLAGE AND POST,
BHADRAVATHI TALUK.



6. SRI JAYAPPA,
S/O K.KENCHAIHAH,
AGED ABOUT 55 YEARS,
R/O YAREHALLI VILLAGE AND POST,
BHADRAVATHI TALUK.

7. SRI CHANDRAPPA,
S/O K.KENCHAIHAH,
AGED ABOUT 53 YEARS,
R/O YAREHALLI VILLAGE AND POST,
BHADRAVATHI TALUK.

8. SRINIVASA
SINCE DEAD BY HIS LRS.

8(A) SMT SANGAMMA
W/O LATE SRINIVASA,
AGED ABOUT 45 YEARS.

8(B) SMT POORNIMA
D/O LATE SRINIVASA,
AGED ABOUT 25 YEARS.

8(C) SRI MANJUNATH
S/O LATE SRINIVASA,
AGED ABOUT 23 YEARS.

ALL ARE RESIDING AT
YAREHALLI VILLAGE,
MARUTHINAGARA POST,
BHADRAVATHI TALUK.

DEFENDANTS

(D1 TO 4-BY SRI J.MOHAN., AGP.,)
(D6-BY SRI K.S.NATARAJA., ADVOCATE)
(D5, 7, 8(A) TO (C) EX-PARTE)



**ORDERS ON IA-IX FILED BY DEFENDANT-6 UNDER ORDER 7
RULE 11(A) AND (D) READ WITH SECTION 151 OF CODE OF
CIVIL PROCEDURE.**

The defendant-6 filed this application under Order VII Rule 11 (d) read with Section 151 of Code of Civil Procedure, praying to reject the plaint as barred under the provisions of P.T.C.L Act 1978.

2. In the affidavit filed in support of the application the defendant-6 has contended that originally the suit schedule property is granted to the family of defendants 5 to 8 under the P.T.C.L Act., hence it is prayed to reject the plaint.

3. The plaintiffs filed objections to the application contending that the plaintiffs' suit seeking for the relief of adverse possession is not hit by any provisions of P.T.C.L Act., hence prayed to dismiss the application.



4. Heard both side. Records perused. The points that arise for determination in this application are as follows:-

1. *Whether the application is fit to be allowed?*
2. *What Order?*

5. Findings on the above points are as follows:-

Point No.1: Negative.

Point No.2: See Order below.

: R E A S O N S :

6. POINT No.1: Admittedly, the plaintiffs filed this suit seeking for the reliefs of adverse possession and other reliefs, in respect of suit schedule properties, which were originally belonged to the family of defendants 5 to 8.

7. However, according to defendant-6 the suit schedule properties are granted to their family under the P.T.C.L Act., which is a social legislature and the same



protects the interest of innocent grantees. As such, the claim of plaintiffs against the defendants is not maintainable under the P.T.C.L Act. However, the defendant-6 in his application has not specifically pleaded any provision of law, which bars this court from trying this suit. There is no any bar under any provisions of P.T.C.L Act., which bars this court to try a suit of this nature, in respect of granted lands.

8. The plaint pleadings disclose that the plaintiffs have come to court with an answerable question and as such, the plaintiffs have made out a prima-facie case for trial. The defendant's application is very vague, vexatious and frivolous and no grounds are made out to reject the plaint. The defendant's application is devoid of merits and is not sustainable in the eye of law. **Accordingly, this point is answered against the defendant-6 in the NEGATIVE.**



9. POINT No.2: In view of the above discussions on point No.1, I proceed to pass the following:-

: O R D E R :

The application IA-IX filed by defendant-6 under Order VII Rule 11 (d) read with Section 151 of Code of Civil Procedure is hereby rejected.

No order as to costs.

(Computerized, corrected, revised and then signed by me in open court on this the 4th day of July 2015.)

(T.SRIKANTH)
*Addl. Senior Civil Judge,
Bhadravathi.*



*(Order pronounced in open court, vide
separate order)*

ORDER

*The application IA-IX
filed by defendant-6 under
Order VII Rule 11 (d) read with
Section 151 of Code of Civil
Procedure is hereby rejected.*

No order as to costs.

(T.SRIKANTH)
*Addl. Senior Civil Judge,
Bhadravathi.*