



PRELIMINARY DECREE FOR PARTITION

Decree Contains 12 pages

**Decree in Original
Suit (O.20, R.6,7)
Form No.1.**

**IN THE COURT OF THE I ADDL. CITY CIVIL AND SESSIONS
JUDGE AT BENGALURU CITY (CCH-2).**

O.S.No.1521/2013

PLAINTIFF/S:-

Smt. B.H. Mamatha,
W/o Ranganath and
D/o late Hanumanthaiah,
Aged about 31 years,
No.335/2, 'Sri Jagadeeshwari Krupa',
6th Main, 6th Cross, Bahubali Nagara,
MES Road, Jalahalli,
Bengaluru – 13 (East) .

// Vs//

DEFENDANT/S:

- 1. Sri. B.H. Baburaj,**
S/o late Hanumanthaiah,
Aged 37 years,
No.120, 3rd Main, 3rd Cross,
BEML layout 1st Stage,
Basaveshwara Nagara,
Bengaluru – 79.
- 2. Sri. B.H. Bhaskar Murthy,**
S/o late Hanumantha,
Aged 35 years,

Last resided address is as hereunder
No.19, 2nd Cross, Ward No.102,
Basaveshwar Nagar,
Kamakshipalya,
Bengaluru – 79.

3. **Smt. Bhavya,**
W/o B.H. Bhaskar Murthy,
Aged about 23 years,
No.19,
2nd Cross, Ward No.102,
Basaveshwar Nagar, Kamakshipalya,
Bengaluru – 79.
4. **Smt. K. Kalavathi,**
W/o Narasimhan,
Aged about 54 years,
R/at No. 4/B, Sathyamurthy Road,
Ramaswamy Palya,
Kammanahalli Main Road,
Bengaluru – 33.
5. **Sri. Gangadhar Kundu,**
S/o Abinas Kundu,
Aged about 39 years,
residing at No. 440, 2nd floor,
24th Main, 2nd Cross,
BTM layout 2nd Stage,
Bengaluru – 560 076.
6. **Smt. Suvarna Bai,**
D/o Santhappa,
W/o Kiran Jadav,
Aged about 58 years,

residing at No. 440, 1st floor,
24th Main, 2nd Cross,
BTM layout 2nd Stage,
Bengaluru – 560 076.

7. **Smt. B.R. Sunitha,**
W/o Sri. Viswanath Sri Ram,
Aged about 29 years,
Defendant Nos.5 to 7 are
residing at Sri Sadguru Nilaya,
No. 440, ground floor, 24th Main,
2nd Cross, BTM layout 2nd Stage,
Bengaluru – 560 076.

SUIT CLAIM: This suit was filed on **22.2.2013** by the Plaintiff
and prays to :

- i. pass a judgment and decree for partition holding that the plaintiff is entitled to 1/3rd share in all the plaint schedule properties and the defendants 1 to 3 be directed to effect partition of the all the suit schedule properties and put the plaintiff in separate possession of her 1/3rd share of the plaint schedule properties by metes and bounds.
- ii. (a) To hold and declare that the gift deed dated 4.12.2012 alleged to have been executed by the deceased Hanumanthaiah in favour of the defendant No.3 is a fraudulent document and further hold which does not

bind the share of the plaintiff in the said property irrespective of the fraudulent gift deed dated 4.12.2012.

(b) if for any reason if the court hold that deceased Hanumanthaiah had the right to execute Will dated 2.5.2012 then hold and declare that on the basis of the said Will the plaintiff would be entitled to second floor portion of item No.1 of the plaint schedule property.

iii. To hold and declare that the sale deed executed by deceased Hanumanthaiah in favour of the defendant No.4 dated 2.7.2001 does not affect the share of the plaintiff in the said property; and

iv. To grant such other relief or reliefs and to award cost of the suit.

This suit coming on this day for final disposal before **Sri. B.P.Devamane, I Additional City Civil and Sessions Judge, Bengaluru City, (CCH-2)**, in the presence of Sri. T.Seshagiri Rao - Advocate for Plaintiff and of Sri. Srinivas.V – Advocate for Defendant No.1, Sri. S.K.Venkatachalapathi – Advocate for Defendant No.3, Sri. B.Roopesha – Advocate for Defendant No.4, Sri. Arun R Naik – Advocate for Defendant Nos.5 to 7, Defendant No.2 – Exparte.

It is ordered and decreed that the suit is partly decreed with costs.

It is further ordered and decreed that the plaintiff is entitled for 1/3rd share in the suit schedule properties excluding suit schedule item Nos.1, 2 & 12 properties.

It is further ordered and decreed that the defendant No.1 is also entitled for 1/3rd share in respect of suit schedule properties excluding suit item Nos.1, 2 & 12 properties.

It is further ordered and decreed that suit in respect of suit schedule item Nos.1, 2 and 12 properties is dismissed.

And that a sum of Rs.314/- be paid by the defendant/s to the Plaintiff/s on account of costs of the suit.

Given under my hand and the seal of the court this the day of 6th day of July, 2026.

For the purpose of court fee & Jurisdiction
The suit is valued under Sec.35(2) & 24(d) of KCF & SV Act
and court fee of Rs.250/- was paid.

COSTS OF THE SUIT

			By the Plaintiff/s Rs.	By the Defendant/s Rs.
1.	Stamp paid on Plaint	:-	250-00	-
2.	Stamp paid for power	:-	-	-
3.	Stamp on I.As	:-	-	-
4.	Service of Process	:-	64-00	-
5.	Pleader's fee	:-	-	-
6.	Paper Publication Charges	:-	-	-
Total Rs. :-			314-00	-

SCHEDULE

Item No.1:

All the piece and parcel of House property bearing No.440, measuring East to West 30 North to South 40 totally measuring 1200 sq.feet, situated at 1st Phase, IInd Block, BTM Layout, Bengaluru, having the following boundaries:

East by : Site No.457,

West by : Road,

North by : Site No.439,

South by : Site No.441.

Item No.2:

All the piece and parcel of House property katha PID No.16/54/760, measuring 40x 30,situated at Kamalanagara Ward No.16, Bengaluru-560 096 and having the following boundaries:

East by : Road,
West by : House property No.761,
North by : House property No.751,
South by : House property No.763.

Item No.3:

All the piece and parcel of land bearing Sy.No.23/1 measuring $\frac{1}{2}$ guntas, situated at Byrasandra Village, Bellur Hobli, Nagamangala Taluk, Mandya District and having the following boundaries:

East by : Remaining portion of same Sy.No.
West by : Property of Gangamamma,
North by : Property of Lakshmana,
South by : Property of Mariyappa.

Item No.4:

All the piece and parcel of land bearing Sy.No.6/1 measuring 1 acre 11 guntas, situated at Erubanhalli Village, Bellur Hobli, Nagamangala Taluk, Mandya District and having the following boundaries:

East by : Remaining portion of same Sy.No.

West by : Property belongs to the family,

North by : Property of Padmanna,

South by : Property of Chikkamudalappa and others.

Item No.5:

All the piece and parcel of Site No.65/65 measuring East to West 23 feet and North to South 52 feet, situated at Byrasandra Village, Bellur Hobli, Nagamangala Taluk, Mandya District and having the following boundaries:

East by : Road,

West by : Property belongs to Gangamaramma,

North by : Property of Lakshmana,

South by : Property of Mariyappa.

Item No.6:

All the piece and parcel of Sy.No.7/1p3 measuring 24 guntas, situated at Erubhanahalli Village, Bellur Hobli, Nagamangala Taluk, Mandya District and having the following boundaries:

East by : Property of Hanumegowda,
West by : Property belongs to Hanumanthaiah,
North by : Property of Gigutanna @ Hanumaiah,
South by : Property of Gangaiah S/o Ningaiah.

Item No.7:

All the piece and parcel of Sy.No.7/1p2 measuring 12 guntas, situated at Erubhanahalli Village, Bellur Hobli, Nagamangala Taluk, Mandya District and having the following boundaries:

East by : Property of Hanumegowda,
West by : Property Belongs to Hanumanthaiah,
North by : Property of Gigutanna @ Hanumaiah,
South by : Property of Gangaiah S/o Ningaiah.

Item No.8:

All the piece and parcel of Sy.No.22/2 measuring 1.8 guntas, situated at Byrasandra Village, Bellur Hobli, Nagamangala Taluk, Mandya District and having the following boundaries:

East by : Private property,
West by : Property belongs to Hanumanthaiah,
North by : Government Property,
South by : Road.

Item No.9:

All the piece and parcel of Sy.No.20/12 measuring 2 guntas, situated at Byrasandra Village, Bellur Hobli, Nagamangala Taluk, Mandya District and having the following boundaries:

East by : Property of OdoMuddegowda Ramanna,
West by : Property of Kriyanna,
North by : Property of Hanumaiah,
South by : Government Halla.

Item No.10:

All the piece and parcel of Sy.No.133/6b measuring 8 guntas, situated at Bilagunda Village, Bellur Hobli, Nagamangala Taluk, Mandya District and having the following boundaries:

East by : Property of B.T.Thimmegowda,
West by : Property of Thimmegowda,
North by : Property of Gangadhar Gowda,
South by : Property of Motegowda.

Item No.11:

All the piece and parcel of Sy.No.90 measuring 3 acres, situated at Byrasandra Village, Bellur Hobli, Nagamangala Taluk, Mandya District and having the following boundaries:

East by : Property of Kalanna,
West by : Byrasandra hill,
North by : Government Lake,
South by : Erbnahalli Gadi.

Item No.12:

All the piece and parcel of Site No.413, measuring East to West 40, North to South 30 feet, situated at HRBR Layout, Byrasandra Village, Bellur Hobli, Nagamangala Taluk, Mandya District and having the following boundaries:

East by : 8th 'C' Main Road,
West by : Site No.8BM-414,
North by : Site No.8CM-415,
South by : Site No.8CM-411.

Item No.13:

All the piece and parcel of Sy.No.6/1A measuring 30 guntas, situated at Erubannahalli Village, Bellur Hobli, Nagamangala Taluk, Mandya District and having the following boundaries:

East by : Remaining property of Hanumaiah,
West by : Property of Basammarmotegowda,
North by : Property of Padmanna S/o Tammanna,
South by : Property of Vaiyanna S/o Javaraiah.

Decree Signed on:

