

ದಿನಾಂಕ 08.12.2021 ರಂದು ಸಾಕ್ಷಿ ಹಾಜರಿದ್ದು ಪ್ರಮಾಣಿಸಲಾಯಿತು.

ಮುಂದುವರೆದ ಮುಖ್ಯ ವಿಚಾರಣೆ:- 3 ನೇ ಪ್ರತಿವಾದಿ ಪರ ಶ್ರೀ.ಆರ್. ಎಸ್ ವಕೀಲರಿಂದ :-

ವಕೀಲರ ವಿನಂತಿ ಮೇರೆಗೆ ಈಗಾಗಲೇ ಗುರುತಿಸಲಾದ ನಿಡಿ 132 ಡೈರೆಕ್ಟರಿಯಲ್ಲಿಯ ಸಂಬಂಧಪಟ್ಟ ದಾಖಲೆ ಪುಟ ಸಂಖ್ಯೆ 81 ರಲ್ಲಿ ಈಗಾಗಲೇ 133 (ಎ) ಎಂದು ಗುರುತಿಸಲಾಗಿದ್ದು ಅದನ್ನು ಬದಲಾವಣೆ ಮಾಡಿ 132(ಎ) ಎಂದು ಗುರುತಿಸಲಾಯಿತು. ಅದೇ ರೀತಿ ಪುಟ ಸಂಖ್ಯೆ 212 ರಲ್ಲಿ ಈಗಾಗಲೇ 133 (ಬಿ) ಎಂದು ಗುರುತಿಸಲಾಗಿದ್ದು ಅದನ್ನು ಬದಲಾವಣೆ ಮಾಡಿ 132(ಬಿ) ಎಂದು ಗುರುತಿಸಲಾಯಿತು.

ಲ್ಯಾಂಡ್ ಸ್ಕೇಪಿಂಗ್ ಮ್ಯಾಗ್ಜಿನ್ ಅನ್ನು 134 ಎಂದು ಗುರುತಿಸಲಾಗಿದ್ದು ಅದನ್ನು ಬದಲಾವಣೆ ಮಾಡಿ 133 ಎಂದು ಗುರುತಿಸಲಾಯಿತು. ಅದೇ ರೀತಿ ಈಗಾಗಲೇ 135 ಎಂದು ಗುರುತಿಸಲಾದ ಮ್ಯಾಗ್ಜಿನ್ ಅನ್ನು 134 ಎಂದು ಗುರುತಿಸಲಾಯಿತು. 134 ರಲ್ಲಿ ಈಗಾಗಲೇ ಗುರುತಿಸಲಾದ 135(ಎ) ನ್ನು ಬದಲಾವಣೆ ಮಾಡಿ 134(ಎ) ಎಂದು ಗುರುತಿಸಲಾಯಿತು.

ಸಾಕ್ಷಿಯು ಮುಂದುವರೆದ ಮುಖ್ಯ ವಿಚಾರಣೆ ಹೆಚ್ಚುವರಿ ಪ್ರಮಾಣ ಪತ್ರ ಸಲ್ಲಿಸಿದ್ದು ಅದರಲ್ಲಿ ಬರೆದ ಅಂಶಗಳು ಸರಿ ಇರುತ್ತವೆ.

ದಿನಾಂಕ 01.09.2009 ರಂದು ನೋಟಿಸಿಗೆ ಉತ್ತರ ನಿಡಿ 135 ಎಂದು ಗುರುತಿಸಲಾಯಿತು. ಅಧಾಯ ತೆರಿಗೆಯ ಆಯುಕ್ತರ ಆದ ಅದೇಶ ನೋಟರೈಸರ್ ಪ್ರತಿಯನ್ನು ನಿಡಿ 136 ಎಂದು ಗುರುತಿಸಲಾಯಿತು. ಅಧಾಯ ತೆರಿಗೆಯ ಮೇಲ್ಮನವಿಯ ಟ್ರಿಬುನಲ್

ನಿಂದ ಆದ ಆದೇಶದ ಪ್ರತಿ ನಿಡಿ 137 ಎಂದು ಗುರುತಿಸಲಾಯಿತು. ಅಸಲು ದಾವೆ ನಂಬರ್ 2545/2020 ದಿನಾಂಕ 14.09.2021 ರಲ್ಲಿ ಆದ ಮಧ್ಯಂತರ ಅರ್ಜಿ ನಂಬರ್ 3 ರ ಆದೇಶದ ಪ್ರತಿ ನಿಡಿ 138 ಎಂದು ಗುರುತಿಸಲಾಯಿತು. ಅಸಲು ದಾವೆ ನಂಬರ್ 2345/2020 ದಿನಾಂಕ 14.09.2021 ರಲ್ಲಿ ಆದ ಡಿಕ್ರಿಯ ಪ್ರತಿ ನಿಡಿ 139 ಎಂದು ಗುರುತಿಸಲಾಯಿತು. ದಿನಾಂಕ 06.01.1989 ರ ಸ್ಟೇಟ್ ಬ್ಯಾಂಕ್ ಮೈಸೂರಿನ ದಾಖಲೆ ಸೆಕಂಡರಿ ಸಾಕ್ಷಿ ನಿಡಿ 140 ಎಂದು ಗುರುತಿಸಲಾಯಿತು.

ಆದುದ್ದರಿಂದ, ದಾವೆಯಲ್ಲಿ ಕೇಳಿದಂತೆ ಆದೇಶ ಮಾಡಬೇಕೆಂದು ವಿನಂತಿ.

ಪಾಟೀ ಸವಾಲು:- ವಾದಿ ಮತ್ತು ವಾದಿ ಪರ ವಕೀಲರು ಗೈರು ಹಾಜರು ಇರುವುದರಿಂದ ಪಾಟೀ ಸವಾಲು ಮುಂದುಡಲಾಯಿತು.

(ತೆರೆದ ನ್ಯಾಯಾಲಯದಲ್ಲಿ ನನ್ನ ಉಕ್ತಲೇಖನ ರೀತ್ಯಾ ದಾಖಲಿಸಿಕೊಳ್ಳಲಾಗಿದೆ.)

ಓ ಹೇ ಕೇ ಸರಿ ಇದೆ.

(ಎಸ್. ಆರ್. ದಿಂಡಲಕೊಪ್ಪ)
15 ನೇ ಅಪರ ನಗರ ಸಿವಿಲ್ ಮತ್ತು ಸತ್ರ
ನ್ಯಾಯಾಧೀಶರು, ಬೆಂಗಳೂರು.

Witness present and duly sworn on 25.01.2022.

Cross examination by Sri.VAM advocate for plaintiff:-

I have not brought any gadget today. I know all the 3 suits are clubbed together. The writ petition filed by me might be allowed. I have produced the copy of the order passed in writ petition. I do not remember the writ petition and Writ appeal preferred by me before Hon'ble High Court are dismissed.

K.R. Srinivas Ayyangar is my great grand father. K.S. Gopala Swamy ayyangar is my grand father. The photo shown to me is my grand father K.S. Gopala Swamy ayyangar the said photo containing the book marked as Ex.P.66 and the relevant photo is marked as Ex.P.66(a). K.R. Srinivas Ayyangar was one of the member of the governing council. I have no idea whether he was incharge Diwan of Mysore. The 2 photographs shown to me in Ex.p.66 are one is my father Gopala Swamy parthasarathi another photo belong to me. The said photographs marked Ex.P.66(b) and Ex.P-66(c). The signature in Ex.p.66 shown to me are belongs to my father and my self. The said printed signatures are marked as Ex.P.66(d) and (e).

The photo in Ex.p.66 shown to me is part of schedule A property which marked as Ex.p.66(f). It is false to suggest that the building in Ex.p.66(f) is built by my great grand father Srinivas Ayyangar. I don't remember from whom the said building was purchased. It is an

ancestral property. It is false to suggest that the said property extends from 5th main Chamaraj pet, called sir Puttanna Shetty road, 6th main called Apoorva road. It is true there is vacant land surround the building.

It is true my grand father Gopala Swamy predeceased my great grand father. It is true my grate grand father affected partition among is 2 children Gopala Swamy and Krishna Swamy. It is true to suggest that Gopala Swamy did is BA. BL. It is true he is practicing as advocate. I don't know another brother Krishna Swamy was an executive engineer in Mysore.

My date of birth is in year 1949. It is true I have seen my grand father and grate grand father. My grate grand father died when I was 6 years old. It is true Gopala Swamy did not effect any partition among his children (sons). Partition took place in year 1960. It effected by my grate grand father. The four persons have got the partition among them selves in four parts. It is true to suggest that the four persons are referred in Ex.p.66 book that is Gopala Swamy parthasarathy, 2. G. Raghavan, 3. Kasturi Rangan and 4.Dr. G.Arva Mudan.

My father got the property of house and front portion in the said partition. It is false to suggest that A and B schedule properties are allotted to my father but the witness

says the entire A and B properties are allotted to my father as one unit.

My uncles get similar property on the back side. I have no idea which is the property named as Srinivas.

It is true to suggest that my grand father Gopala Swamy was the agent of Hindu News paper of Bangalore City. It is true he was also Horticulturist. I have 1 brother and 3 sisters. It is true my father was alive when the suit was filed and I have read the written statement filed by my father. It is true my father continued the Hindu News paper agency. It is true to suggest that Srinivas and Gopal properties are named for schedule A and B. It is true to suggest that Srinivas Ayyanger and Gopala Swamy did not built house in B schedule property. It is true to suggest that my father as built the house in B schedule property.

I did my B.Sc agriculture during 1966 to 1970, in university of agriculture science Bangalore. From 1970 to 1972 I did my M.Sc in agriculture from Koimattur University. At that time my age was 23 years. My father owned small piece of agriculture land at Yelachenahally on old Mysore road.

I do not have any property in Nelamangala. The Yelachenahally property is not in my possession, It might be sold in the year 1980. At the time of my post graduation

my specialization subject is Master in Agronomy. Agronomy is crop science it covers everything from growing. It is false to suggest that my father Partha Sarathy studied B.Sc Natural science, witness is he studied only chemistry. I do not know that deference between natural science and physical science. I have not done any research work after my post graduation. After my M.Sc I did Horticulture and Agriculture. I have not worked in any employment. Witness says I am a professional cricketer. Since 1968 I started my earning from buying and selling plants. I was not an income tax payee at that time. witness says there is no income tax for agriculture.

When the property was purchased by me from Boopanna I was a student.

As per the request of the plaintiff counsel further cross examination is deferred.

(Typed to my dictation in the open court)

ROI & AC.,

(S.R. Dindalkoppa)
XV Addl City Civil and
Session Judge, Bengaluru.

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C/w 6468/2013 , 6800/2011
(DW-1)