

**IN THE COURT OF THE CIVIL JUDGE & J.M.F.C.,
SIRUGUPPA.**

Present: **Ashok R H**
Civil Judge and J.M.F.C.,
Siruguppa.

Dated this 12th day of August, 2026

FINAL DECREE PROCEEDINGS NO.1/2025

Petitioner: Minor Hussainamma D/o late Gourisha
Age: 14 years, Represented by minor
Guardian natural mother by name
Smt.Uma W/o late Gourisha, R/o.
Ravihal village, Siruguppa Tq,
Ballari District

(By Shri MRG Advocate)

Vs

Respondents: 1. Smt. Mahankali
D/o Lae Chidanandappa ,
W/o Thimmaiah, Age: 59 years,
R/o Ravihal village, Siruguppa Tq,
Ballari District.

2. Smt.Sanjeevamma
D/o Late Chidanandappa ,
W/o Mareppa, Age: 46 years,
R/o Ravihal village, Siruguppa Tq,
Ballari District.

(R-1and 2 by Sri TVS Advocate)

ORDERS ON PETITION FILED UNDER ORDER XX RULE 18
R/W SEC.54 and 151 OF CPC

The petitioner i.e., original plaintiff in O.S. No.55/2021 on the file of this court, has filed this petition against the respondents seeking to draw final decree in respect of her share in the suit property. It is stated in the petition that the petitioner is allotted 1/3rd share in the plaint schedule item No.1 property. The petitioner has sought for effecting partition and to draw final decree in respect of her share in the plaint schedule property.

2. Subsequent to the service of notice of this petition, the respondents No 1 and 2 have appeared before the court. However they have not filed any objections.

3. The court commissioner was appointed for effecting partition and separation of shares in item No 1 landed property. The court commissioner has filed the report. The respondents have not filed any objections to the reports. The petitioner has also submitted that the report filed by the commissioner be accepted and the petitioner be allotted the share.

4. Heard the petitioner and respondents. Perused the records. The points that arise for consideration are as under:

POINTS

1. Whether the petition filed by the petitioner deserves to be allowed?

2. What order?

5. The answers to the above points are as follows:

Point No.1: In the Affirmative

Point No.2: As per final order

For the following;

REASONS

6. **Point No.1:** The petitioner has filed this petition in pursuance of the preliminary decree passed in OS. No.55/2021 on 25.05.2023. On perusal of the records, it is forthcoming that the petitioner herein had filed a suit seeking the relief of partition and separate possession in the plaint schedule item No 1 and 2 properties. The said suit came to be partly decreed by the court. It was decreed that the plaintiff/petitioner and defendants No 1 and 2 are entitled for 1/3rd share each in plaint schedule item No 1 property. The claim of the plaintiff in respect of item No.2 property is rejected. In order to get separated her share allotted in the preliminary decree, the petitioner has filed this petition.

7. The court commissioner, in compliance of the direction issued by this court, has issued prior notice to parties, conducted the commission work, separated the shares and has prepared the sketch and has produced before this court. On perusal of the reports, it is forthcoming that the court commissioner has visited the spot and conducted inspection by

referring to the records. It is seen that commissioner has carried out the commission work in the presence of the parties and mahazar has also been prepared.

8. On perusal of the sketch prepared and produced by the court commissioner in respect of landed property bearing Sy No 169/B3 situated at Ravihal village , it is seen that the property is divided into three blocks as per the decree and a scheme of partition is proposed. The commissioner report is acceptable.

9. In view of the above said observations, this court is of the considered opinion that the court commissioner has carried out the commission work in accordance with the preliminary decree and same can be taken into account. The court commissioner report is accepted by this court. The respondents have not filed any objections. Therefore the petitioner is entitled for the final decree as sought. As a result, the petition deserves to be allowed. **Thus, Point No.1 is answered in the Affirmative.**

10. **Point No.2:** In view of the answer to Point No.1, this court proceeds to pass the following;

ORDER

The petition filed by the petitioner is hereby allowed.

The petitioner is allotted her share i.e., 1/3rd share in the plaint schedule item No 1 property at

block I, as per the sketch prepared by the court commissioner.

The respondent No.1 is allotted her share i.e., 1/3rd share in the plaint schedule item No 1 property at block III, as per the sketch prepared by the court commissioner.

The respondent No.2 is allotted her share i.e., 1/3rd share in the plaint schedule item No 1 property at block II, as per the sketch prepared by the court commissioner.

Office to draw final decree in respect of suit property, in accordance with the above order, in respect of the shares allotted to the petitioner and respondents, on furnishing of stamp papers of sufficient value by them.

(Directly typed by me, corrected and then pronounced by me in the Open Court on this the 12th day of August, 2026).

(Ashok R.H)
Civil Judge and JMFC,
Siruguppa.

Pronounced in the open court vide separate

ORDER

The petition filed by the petitioner is hereby allowed.

The petitioner is allotted her share i.e., 1/3rd share in the plaint schedule item No 1 property at block I, as per the sketch prepared by the court commissioner.

The respondent No.1 is allotted her share i.e., 1/3rd share in the plaint schedule item No 1 property at block III, as per the sketch prepared by the court commissioner.

The respondent No.2 is allotted her share i.e., 1/3rd share in the plaint schedule item No 1 property at block II, as per the sketch prepared by the court commissioner.

Office to draw final decree in respect of suit property, in accordance with the above order, in respect of the shares allotted to the petitioner and respondents, on furnishing of stamp papers of sufficient value by them.

**(Ashok R.H)
Civil Judge and JMFC,
Siruguppa.**

