



**IN THE COURT OF THE I ADDITIONAL SENIOR
CIVIL JUDGE & J.M.F.C., AT DEVANAHALLI.**

PRESENT

SMT. VIJAYALAXMI GHANAPUR.,L.L.M.,

I Addl. Senior Civil Judge & J.M.F.C.,
Devanahalli.

Dated this the 06th Day of August, 2026.

O.S.No.79/2014

PLAINTIFF/S : Sri. Ramachandra, Aged about
30 years. S/o. Late. Dyvanna.
R/at. Channahalli Village,
Channarayapatna Hobli,
Devanahalli Taluk.

(By Sri. A.R.S.R., Advocate)

V/s-

DEFENDANT/S: 1. Sri. Munivenkatappa. Since
dead by his LRs,

1(a). Smt. Eramma. Aged about
71 years, W/o. late.
Munivenkatappa,

1(b). Smt. Nagamma. Aged
about 51 years. D/o. late.
Munivenkatappa,



1(c). Smt. Pillamma, Aged about 47 years, D/o. late. Munivenkatappa,

1(d).Sri. Krishnappa, Aged about 41 years, S/o. late. Munivenkatappa,

1(e).Sri. A.M. Narayanswamy, Aged about 39 years, S/o. late. Munivenkatappa,

1(f). Smt. Venkateshamma, Aged about 36 years, D/o. late. Munivenkatappa.

(Def.1(a to d)(f to i) – By Sri.D.L.K., Advocate)

(Def.1(e) – By Sri.M.G.P., Advocate)

(Def.2, 3 – By Sri.R.S., Advocate)

Date of institution of the suit	:	29-01-2014
Nature of the suit	:	Declaration
Date of commencement Date of recording of the evidence	:	08-02-2023
Date on which the Judgment was pronounced	:	06-08-2026



Total duration	Year/s	Month/s	Day/s
	12	06	07

Sd/-

(Vijayalaxmi Ghanapur)I Addl. Senior Civil Judge & J.M.F.C.,
Devanahalli.**J U D G M E N T**

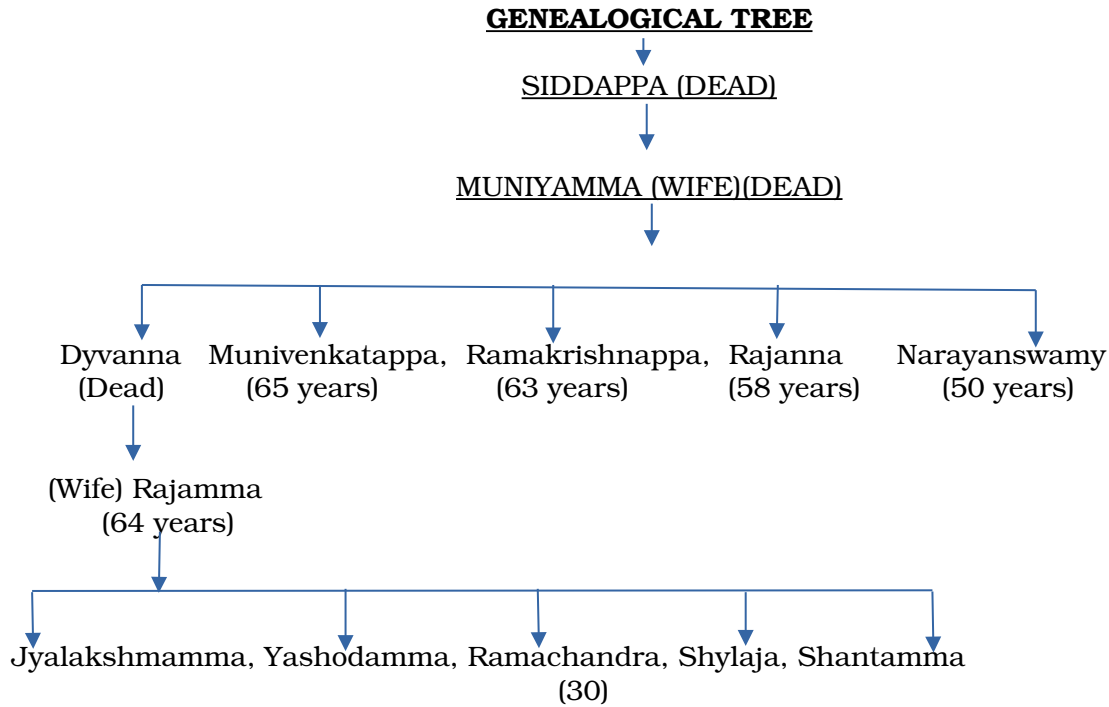
This suit is for the relief of Declaration and Permanent Injunction.

2. **The factual matrix of plaint in nutshell is as under :**

(a) The plaintiff is grandson of Siddappa purchaser of suit property under registered Sale Deed dated 23.11.1970 and he filed the suit on behalf of his entire family. The said Siddappa died 5 years back prior to filing this suit and he had 5 sons out of which 1st son deceased Dyavanna is father of the plaintiff. For better



understanding the Genealogy produced by him is refereed as under:



(b) Description of the suit property as per plaint averments is an agricultural land in Old Sy.No.51, new Sy.No.51/1 now the schedule property and the remaining property in the schedule Sy.No. Amalgamated with old survey number and given number as Sy.No.6 measuring to an extent of 1 acre out of 2 acres situated



at Agalakote Village, Channarayapatna Hobli,
Devanahalli Taluk.

(c) Originally, the property measuring 2 acres belongs to defendant No.1 and he acquired the same by virtue of Grant made by Government and subsequently he had sold the entire land in favour of one Mariayappa S/o Munishamappa of Channahalli Village through registered Sale Deed dated 12.11.1965 and put him in possession of the same. Further, the said Mariyappa sold the suit property and other properties to the grandfather of the plaintiff by name Siddappa under registered Sale Deed dated 23.11.1970 and hence plaintiffs are absolute owners in possession of the suit property. the defendant No.1 is the vendor of the suit property and defendant No.2 and 3 are the Agreement holders.

(d) Said grandfather of the plaintiff After the defendant No.1 has sold the schedule property, he never



in possession of the same in any manner and further he has no manner of right, title or interest over the schedule property. The grandfather of the plaintiff was an unlettered person and he has no wordly knowledge and as such though he was in continuous possession and enjoyment of the schedule property he was not able to get the katha with respect to the schedule property to his name.

(e) In the year 1996-97 the 1st defendant the knowledge and consent the plaintiff and his family members, he in collusion with the revenue authorities got the phodi order with respect to the schedule and adjoining property and in pursuant to the same he got entries with respect to the entire 2 acres of land as per M.R.No.1/1996-97, however he never came to possession of the schedule property in any manner. After the plaintiff came to know the illegal acts of the 1st defendant,



immediately he has preferred Revenue Appeal before the Assistant Commissioner Doddaballapura Sub-Division in R.A. (DVN).No.366/2011 and obtained an order of stay with respect to the said entries and the said order is still subsisting.

(f) In the meantime several times the 1st defendant has tried to dispossess the plaintiff and his family members from the schedule property, but he has failed to get the possession of the same. Subsequently the son Narayanaswamy also given an requisition on 19-10-2011 to the of the 1 defendant i.e., A.M. revenue authorities requesting to identify their property and seeking direction for delivery of the physical possession of the schedule property from the persons who are in occupation of the same and the same clearly shows that the 1st defendant never in possession of the schedule property in any manner.



(g). In spite of that the 1st defendant has not been able to get back the possession of the schedule property from the plaintiff and his family members and the plaintiff is in continuous possession and enjoyment of the schedule property by raising agriculture ops thereon and this year also they have grown and harvested ragi crop in the schedule property. After the 1st defendant failed to get any favorable orders from the revenue authorities, by suppressing the material facts, he has filed a suit in O.S.No.871/2012 with respect to entire 2 acres of land against the plaintiff herein and other persons on the ground that he and his family members are in possession of the same and also claiming the relief of permanent injunction against them. However the 1st defendant is not succeeding to get any such orders from the hands of Principal Civil Judge, at Devanahalli and the said suit is still pending.



(h) Recently the plaintiff came to know that the 1st defendant has executed a Registered Sale Agreement dated 25-1-2014 agreeing to sell the same in favour of the defendants 2 & 3 as if he is the absolute owner of the schedule property. This clearly shows that the 1st defendant in collusion with the other defendants is disputing right and title over the schedule property of the plaintiff and his family members.

(i) The plaintiff also came to know that apart from that the sale agreement, the defendant No.1 and his legal heirs also executed registered GPA dated 25/1/2014 in favour of the defendants 2 to 4 authorized them to deal with the schedule property. Under the aforesaid two documents the defendant No.1 and his legal heirs agreed to sell the schedule property for Rs.1.39,00,000/- and received around Rs.57,50,000/-advance from them. Aggrieved by the same Smt. Manjula, W/o. Late.



Nagarajappa challenged the said documents before the concerned Assistant Commissioner in PTCL.SR(DH).No.28/2017-18 and the learned Assistant Commissioner after enquiry pleased to held that the aforesaid documents are null and void. In spite as 6 of that the defendants have not challenged the same before any other authorities.

(j) Prior to filing of the present suit, the defendant No.1 got phodi of the schedule property as per his whimsies and aggrieved by the same, Sri. Ashwathappa, Sri. Devaraj & Smt. C.R. Rajeshwari challenged the same before the Deputy Commissioner in Revision Petition No.7/2011-12 and the learned Deputy Commissioner after enquiry vide its order dated 4/12/2013 pleased to cancel the aforesaid phodi order and the same has not been challenged by the defendants before any forum.



(k) The plaintiff also came to know that the defendant No.1 and his legal heirs have filed a petition before the concerned Assistant Commissioner in PTCL.SR. (Dvn).No.31/2012-13 challenged the sale deed of the plaintiff herein and others, but the learned Assistant Commissioner without issuing any notice pleased to allow the said petition and held that the previous sale deeds with respect to the schedule property are null and void. Thereafter the legal heirs of the defendant No.1 given requisition to the Thasildar for possession of part of the schedule property in pursuant to the aforesaid order and after the plaintiff and others came to know about the same, immediately they have challenged the said order before the concerned Deputy Commissioner in LND.SC/ST.Nos.33 & 57 of 2017-18 and the learned Deputy Commissioner pleased to set aside the order of the Assistant Commissioner vide its order dated 29/3/2019. Aggrieved by the same the legal



heirs of the defendant No.1 filed W.P.No.15158- 7 15162/2019 & 15883-15885/2019 & 15908/2019 before the Hon'ble High Court of Karnataka and the said writ petition is still pending for consideration and wherein the Hon'ble High Court of Karnataka held that the parties are liberty to seek interim orders regarding possession if they so desire. It is very pertinent to note that the legal heirs of the defendant No.1 have categorically admitted the possession of the plaintiff over the schedule property and even otherwise there is an order of temporary injunction subsisting in favour of the plaintiff herein and as such the defendants have no right to dispossess the plaintiff from the schedule property other than in due process of law.

(l). The defendant No.1 did not confer any right over the schedule property on the strength of the aforesaid illegal entries and as such the defendants 2 & 3 did not



confer any right over the schedule property on the strength of the consequent sale agreement. The plaintiff also came to know that the defendants 2 & 3 are real estate agents and they are doing real estate business in and around the Agalakote Village and they also used to purchase litigated properties. Though the defendants 2 & 3 are aware of the rights of the plaintiff and his family members over the schedule property, they have entered into such transactions only with an intention to deceive them. Now the defendants colluded together and trying to create third party charge over the schedule property and also threatening to dispossess the plaintiff and his family members. Therefore the plaintiff has no other alternative except file the present suit for the relief of declaration and consequential relief of permanent injunction against the defendants. Hence, this suit.

3. In pursuance of service of suit summons, defendant No.1 appeared through his counsel Sri. DLK



and filed his written statement. During the pendency of the suit defendant No.1 has expired and legal heirs of said defendant No.1 brought on record and among them defendant No.(e) appeared through Sri. MGP., Advocate and filed written statement. Defendant No.2 and 3 appeared through Sri.R.S Advocate and have filed their written statement.

4. **Contents of written statement of defendant No.1 in brief are as under:**

(a) The defendant No.1 denied entire averments of the plaint categorically and parawise specifically denied description of the suit property and boundaries show by the plaintiff and possession of the grandfather of the plaintiff.

(b) His specifically contented that there is no cause of action to file the present suit.

(c) It is contended that since the land has been granted subjected to the Land Grant Rules and the non-



alienation condition operated as per the rule for the year 1965-66. Within the period of prohibition and in violation of the provisions of the Karnataka SC/ST (PTCL) Act, illegal alienation/transaction took place in respect of 1-00 acre out of 3-00 acres under vide document No 1036/68-69 dated 24/6/1968 infavour of one Jayaram and fraudulently obtained signature from the 1st defendant for the alleged sale deed. The said alleged purchaser Jayaram inturn created further sale transaction on 14/10/1968 vide document No 2367/68-69, infavour of one Smt. Munilakshmamma.

(d). It is contended that in furtherance the said alleged purchaser Smt. Munilakshmamma created sale deed dated 16/8/1995 vide document No 1470/1995-96 infavour of one Nagaraju S/o Byrappa. The said B Nagaraj personally made an application seeking mutation phodi. Accordingly the survey authorities conducted



detailed mahazer under vide ADLR, MPR 168/2004 dated 21/7/2004 and assigned to Hissa Survey Nos ie 51/1 and 51/2. Since then the said alleged purchaser's name has been continued to be entered and wrote separate RTC ie., Sy No 51/2 measuring to an extent of 1-00 acer. The B Nagaraj recently further created sale deed dated 1/4/2011 vide document No DNH-1-00006-2011-12 in favour of 5th respondent herein.

(e). Further, The 1st defendant being an absolute owner in actual physical possession and enjoyment of 2-00 acres out of 3-00 acres as per the earlier grant order and issue of saguvali chit, subsequent revenue entries having all the right, title and interest over the same. For which the 1st defendant filed an application seeking Hadbasth work. Concerned survey authorities initiated proceedings under vide No TQ: HB: No. 458/2011-12 and after issued due notices, following all the procedures,



inspected the spot ascertaining the fact of occupancy, cultivation and possession of the petitioners fixed the Hadbasth stones and prepared Hadbasth sketch as per Moola Tipni and Hissa Tipani along with mahazer in presence of elders and neighbor land holders on 07.02.2012. On the same day when these defendants doing their fencing work one Devaraj, Ramachandra, Ashwathappa and his family members who are utter strangers and no way concerned to the property which belongs to the defendants herein and illegally tried to interfere with the peaceful, lawful possession and enjoyment of the same.

(f). Then the 3rd defendant herein approached the Tahasildar filed an application seeking protection to put up stone fencing etc., Considering the same, the Tahasildar forwarded a letter under vide No MSC:CR:56/2011-12 dated 28.2.2012 directing to



provide necessary police protection to the defendants to put up stone fencing as prayed therein and the said copy has been received by the Station House Officer, Devanahalli police station on 29/2/2012.

(g). It is submit that the defendants and their family members mainly depending upon the said 2-00 acres of property for their livelihood and the defendants have been cultivating the said property by growing ragi, harse gram and other dry crops. With an intention to harass the defendants knowingly and deliberately said C R. Devaraj, Ramachandra, Ashwathappa ie. plaintiff herein and his family members along with their supporters colluded with each other again on 03.09.2012 at overnight illegally tried to interfere and damaged the stone fencing and also made an act of illegally removed the Hadbasthu stone marks fixed by the survey authorities around the said property etc., Therefore the



3rd defendant herein again approached the Jurisdictional police complaining about the illegal acts. The Jurisdictional Devanahalli police have initiated criminal case against them who illegally interfered the lawful possession of the petitioners herein in crime No 99/2012 punishable under sections 143, 341, 447, 427, read with 149 IPC and also under section 3(1) (V) of Karnataka Schedule Caste and Schedule Tribes (Prevention of Atrocities) Act 1989 and since their illegal acts continued, without any option left to the petitioners to restrain the them through the process of law filed civil suit seeking permanent injunction against them in OS No 871/2012 pending on the bench of Hon'ble Principle Civil Judge and JMFC at Devanahalli.

(h). The defendants submit that when the thing stood thus at one side among them one Ramachandra utter stranger filed a false appeal before this Hon'ble authority in, only with an intention to harass case No



RA(DH) 366/2011-12 by invoking provision under section 136 (2) of KLR Act and at other side one Ashwathappa has filed Revision Petition No 7/2011-12 by invoking provision under section 56 of KLR Act and C R Devaraj has filed an application seeking to imp lead him as necessary party and to grab the valuable property of the defendants, the said persons neither producing any peace of records to show on what basis the defendants property related to them nor on what basis the impugned orders are aggrieved to them. They are colluded with each other claiming non-existing right over the property in which the defendants are in possession and enjoyment and illegally interfering with the peaceful possession and enjoyment of the same.

(i). Further contended that they belong to Nayaka Community classified as Schedule Tribe and they have filed petition in case No 31/2012-13 before the Assistant



Commissioner Doddaballapura sub-division Bangalore, seeking restoration of the said 1-00 acer land as per law alleging all the afore said sale transactions took place in between the 1st defendant under the bonded laborer obligations of only bonded debt security towards the hand loan as nominal sale deed and moreover the same was created in violation of Land Grant conditions and provisions of the section 4(1) of the Karnataka SC/ST (PTCL) Act and the same pending for consideration.

With these grounds he prayed to dismiss the suit with exemplary costs.

5. **Contents of written statement of defendant**

No.1(e) in brief are as under :

(a) This defendant reiterated the same contentions of his father and stated that his father was absolute owner of the suit land and after his demise, his children or in exclusive physical possession and enjoyment of the



suit land and neither plaintiff nor legal heir of Dyavannna and his father late Siddappa have no manner of right title and possession over the suit property. Hence he has also prayed to dismiss the suit with exemplary costs.

6. **Contents of written statement of defendant**

No.2 and 3 in brief are as under :

(a) These defendants have also plaint averments and specifically contended that the suit land was granted to 1st defendant under PTCL Act and hence the said land is barred from any alienation. Hence, the Sale Deed stated to be executed by D-1 is barred by law.

(b) These specifically denied the possession of the suit property by the plaintiff.

(c) Further contended that the suit is barred by law of limitation as phody and mutation entries, made in the year 1996-97 and the suit filed in the year 2014.



(d) Further specifically contended that 1st defendant and his family members have executed a registered Sale Agreement dated 25.01.2014 and General Power of Attorney. It is false contention of the plaintiff that defendants are doing real estate business are defendant purchase litigated property etc.

With these grounds he has also prayed to dismiss the suit with exemplary costs.

7. Contents of Additional written statement of defendant No.2 and 3 in brief are as under :

(a) These defendants further denied 1) Smt. Manjula challenged the Sale Agreement are GPA executed in favour of these defendants and further denied defendant No.1 got phody as per his whims and hence the same was cancelled.



(b) He further denied the 1st defendant has given requisition to Tahsidar seeking possession. The requisition was filed challenging the Sale Deed but not for possession as the defendant has always been in possession of the suit property.

(c) He further specifically denied the 1st defendant has admitted the possession of the plaintiff

8. On the basis of above pleadings, the following issues were framed:

ISSUES

1)	Whether the plaintiff proves that, he himself and his family members are the absolute owners of suit property ?
2)	Whether the plaintiff proves that, he and his family members are in possession of suit property ?
3)	Whether the plaintiff proves that, the defendants interfered with their possession over the suit property ?



4)	Whether the plaintiff proves that, he is entitled to the relief of Declaration and Permanent Injunction ?
5)	What order or decree ?

9. In order to prove the case, plaintiff himself No.1 got examined as PW.1 and got marked Ex.P.1 to P.30. Two witnesses have also examined as PW.2 and 3 on behalf of the plaintiffs and Ex.P31 to P34 got marked through these witnesses. Ex.P35 to 39 confronted by learned counsel for defendant during the cross-examination of PW.1. On the other hand, the GPA Holder of defendants got examined as DW.1 and Ex.D1 to D 37 got marked on their behalf.

10. Heard arguments of learned counsel for plaintiff and defendants. Perused the written synopsis filed by both side parties and also Perused the pleadings,



oral and documentary evidence and entire materials on record.

11. The citations relied by the learned counsel for the plaintiff are as under:

- (1) 2007 58 AIC 19.
- (2) 2025 INSC 1038.
- (3) 2025 INSC 879.
- (4) 2025 INSC 583.
- (5) 2026 INSC 652.
- (6) 2019 196 AIC 73.
- (7) Judgment passed in W.P.No.10866 2012 (KLR-RR.SUR).
- (8) 2026 1 BBCJ (SC505)
- (9) 2009 AIR SCW3458
- (10) AIR 2014 SC 3004
- (11) Civil Appeal No.14630/2015
- (12) 2026 2 KCCR 1668
- (13) NC 20026 KHC 14729

12. The citations relied by the learned counsel for the defendants are as under:



(1) Civil Appeal No.13361/2015

(2) AIR 2008 SC 2234

(3) AIR 2007 SC 806

(4) AIR 2006 SC 1647

13. On perusal of the materials placed on record, my findings to the above issues are as under:

<i>Issue No.1</i>	<i>:</i>	<i>In the Negative</i>
<i>Issue No.2</i>	<i>:</i>	<i>In the Negative</i>
<i>Issue No.3</i>	<i>:</i>	<i>Does not survive for consideration</i>
<i>Issue No.4</i>	<i>:</i>	<i>In the Negative</i>
<i>Issue No.5</i>	<i>:</i>	<i>As per the final order for the following;</i>

REASONS

14. **ISSUE NO.1 AND 2:-** These issues are interconnected and interlinked with each other and hence, to avoid the repetition of facts to appreciate the



evidence on record, these issues are taken for common consideration at one stretch.

Before deciding the disputed fact, the Court has to keep in mind the following admitted facts:

- I. The Grandfather of the Plaintiff Sri. Sidappa had five sons namely (i) Dyavanna (father of Plaintiff) (ii) Munivenkatappa (iii) Ramakrishnappa (iv) Rajanna and (v) Narayanswamy. Plaintiff has sisters by name (i) Jayalakshamma (ii) Yashodamma (iii) Shailaja (iv) Shantamma. Uncle's and sisters of the Plaintiff's are not parties to this suit.
- II. The suit property is measuring 1 Acre out of Sy.No.6. The original extent of Sy No.6 is 154 Acres 11 Guntas and it was "Gomala Land".
- III. An area measuring 3 Acres was granted in name of Munivenkatappa S/o. Munishamappa.



IV. Phodi process was taken place with respect to said land. It was renumbered as 50, again renumbered as 51/1 and presently it is numbered as “6” i.e., original number.

V. Legal heirs of Defendant No.1 had filed application before Assistant Commissioner under PTCL Act, to cancel the sale deeds stated to have been executed by Munivenkatappa as Exhibit P-19. The said application was allowed. It was challenged by the present Plaintiff by filing appeal bearing Appel No. LND/SC/ ST/ 57/2017-18 before Deputy Commissioner, Bengaluru Rural (Exhibit P-21). The said Appeal was allowed and it was challenged by D-1(a) to (i), by filing Writ Petition bearing No.15158 to 15162/2019 as per exhibit P-36. The Said WP was disposed by Hon’ble High Court of Karnataka by stating that result of this present suit is binding on the parties to the Lis. The said order was challenged



by LR's of present Defendant No.1 by filing Writ Appeal No. 153/2025 and said appeal was dismissed by Hon'ble High Court of Karnataka as per exhibit P-37.

VI. The names of legal heirs of defendant No.1 are appearing in RTC of the Suit Property.

VII. The Defendant No.2 and 3 are claiming the suit property on the basis of GPA and agreement of Sale as per Exhibit P-9 and 10 from Defendant No-1(a) to (i).

VIII. On the basis of alleged Sale Deed dated: 23-11-1970 (as per Exhibit P-4), the name of grand father of Plaintiff Sidappa was never entered in RTC.

So, considering and keeping in mind these admitted facts, I have to consider whether Plaintiff's have proved their ownership and possession over the suit properties.



15. In order to prove his case the Plaintiff has relied upon his oral evidence and Exhibit P-1 to P-34 and oral Evidence of PW-2 and 3. It is specific case of Plaintiff that Defendant No.1 Munivenkatappa has sold 3 Acres of land in Sy.No.6, which was granted to him, in favor of Mariyappa under Sale Deed dated: 12-11-1965 and in turn legal heirs of Mariyappa has sold 1 Acre of Land i.e., suit property in favor of Grand father of Plaintiff under Sale deed dated: 23.11.1970. So by virtue of Sale Deed Plaintiff is claiming ownership and possession over the suit property.

16. Plaintiff has produced Ex.P2-the **'Grant Order;** with respect to land passed by the Tahsildar, Devanahall dated 1.7.1965, to show that an area measuring 3 acre of land out of Sy.No.6 was granted in favour of Defendant No.1 Munivenkatappa. This fact is not at all disputed by the Defendant No.1 Munivenkatappa and his Legal Heirs.



As per this document, Tahsildar Devanahali has granted 3 acres of land in favour of Present defendant No.1 Munivenkatappa S/o Munishamappa. The grand father of Plaintiff by name Siddappa S/o. Huchappa was also grantee under this document. Under this document an area measuring 2 acres was granted to him as per Ex.D4 'Memorandum/Revenue Form No.121' i.e., Memorandum of Application with respect to allotment of land and an area measuring 154 acres 11 guntas was gomala land and available for allotment. Out of that 115 acres 20 guntas was allotted / granted and the land remained was 38 acres 31 guntas.

As per this document, the grand father of the present Plaintiff by name Siddappa S/o. Huchappa was shown at SL.No.7 and his caste was shown as 'Kuruba' resident of Channahalli. The name of present defendant No.1 Munivenkatappa S/o. Munishamappa was shown at Sl No.2, caste was shown as 'Nayakaru', resident of



Agalakote. Further, an area measuring 2 acres was granted in favour of grand father of Plaintiff- Siddappa on payment of its price Rs.40 and an area measuring 3 acres was granted to Munivenkatappa on collecting price of Rs.60. This fact is mentioned in grant order Ex. P2 as well as in Ex.D6.

The price fixed for each acre was Rs.20. As per Ex.P2, the land was granted to beneficiary/cultivator by collecting its nominal price. The land is granted under the rules of **Land Reforms Act, 1964** and not at all under **PTCL Act**.

17. Thus, the present suit property was not at all wholly covered under PTCL Act, which came into force during 01.01.1979. The definition of Granted Land under PTCL Act is as under, Section 3(b): reads as under:



"Granted Land" means any land granted by the Government to a person belonging to any of the Scheduled Castes or the Scheduled Tribes and includes land allotted or granted to such person under the relevant law for the time being in force relating to agrarian reforms or land ceilings or abolition of inams, other than that relating to hereditary offices or rights and the word "granted" shall be construed accordingly".

So, as per this definition, the land granted to Schedule Tribe is covered. But, as per Ex. P2 Grant Order, the land was granted to non Schedule Caste people and non Schedule Tribe persons also. The grand father of plaintiff, who was belonging to 'Kuruba' community, but not SC/ST. Likewise, the portion of said gomala land was also granted to Achanak Rangappa belonging to Achanak caste/community and Kamalamma



belonging to Kuruba community and one Gopalachar belonging to Akkasaliga caste; who were not at all covered under the definition of SC/ST. So, it is clearly intended that, the grant was made by the Tahsildar Devanahalli considering the fact that they were cultivators of the land.

The initial words of Ex.P2 itself reads as under;-

"ಹಿಡುವಳಿಯಲ್ಲಿಲ್ಲದ ಸರ್ಕಾರಿ ಜಮಾನನ್ನು ಸಾಗುವಳಿ ವಿಲೇವಾರಿಮಾಡಿ ಹಿಡುವಳಿ ಹಕ್ಕನ್ನು ಕೊಡುವುದಕ್ಕೆ ಏರ್ಪಟ್ಟ ನಿಬ್ಬಂಧನೆಗಳ ಮೇರೆಗೆ ಈ ಕೆಳಗೆ ಬರೆಯಲ್ಪಟ್ಟಿರುವ ಷೆ ಡ್ಯೂ ಲಿನಲ್ಲಿ ವಿವರಿಸಲ್ಪಟ್ಟಿರುವ ಜಮಾನು ನಿಕ್ರಯಿಸಲ್ಪಟ್ಟು 1) ಸಿದ್ಧಪ್ಪ 2) ವಾಪಣ್ಣ 3) ಮುನಿವೆಂಕಟಪ್ಪ 4) ಕಮಲಮ್ಮ ಎಂಬವರು ಬಹಿರಂಗವಾದ ಹರಾಜಿನಲ್ಲಿ ಅಥವಾ ನಿಯಮಿತ ಸರ್ಕಾರಿ ಕಿಮ್ಮತ್ತಿಗೆ ಕೊಂಡುಕೊಂಡಿರುವುದರಿಂದಲೂ ಮತ್ತು ಸದರಿ ಹರಾಜು ಕ್ರಮವಾಗಿ ಮಂಜೂರಾಡಲ್ಪಟ್ಟಿರುವುದಲ್ಲದೆ ಡಿಟೋ ಎಂಬವರು ಸದರಿ ಜಮಾನಿನ ಕ್ರಯದಾರರೆಂದು ಕ್ರಮವಾಗಿ ಪ್ರಕಟಿಸಲ್ಪಟ್ಟಿರುವುದರಿಂದಲೂ ಮತ್ತು ಸದರಿ ಡಿಟೋ ಎಂಬವರು ಎಕರೆ ಒಂದಕ್ಕೆ ರೂ 20/ ರೂಪಾಯಿಗಳ ಕ್ರಯದ ಮೊಬಲಗಿನ ಪೂರಾ ಹಣವನ್ನು ಸರ್ಕಾರಿ ಖಜಾನೆಗೆ ವಾವತಿ ಮಾಡುವುದರಿಂದಲೂ, **C.No.283,LR.87/29-6-65, 14-64/28-6-05** ಕ್ಕೆ ಕ್ರಮವಾಗಿ ರೂ 40/- ರೂ, ರೂ.40/- ಮತ್ತು ರೂ.60-



ರೂ.40 ರೂಗಳು ಜಮಾ ದೇವನಹಳ್ಳಿ ತಾಲೂಕಿನ ಅಮಲ್ದಾರನಾದ ಸಬ್ ಡಿವಿಜನಿನ ಕಮೀಷನರಾದ ಆರ್. ಶ್ರೀ.ಮುನಿಯಪ್ಪ ಎಂಬ ನಾನು ಸದರಿ ಡಿಟೋ ಎಂಬುವವರಿಗೆ ಸದರಿ ಜಮೀನಿನ ಹಿಡುವಳಿಯನ್ನು ಹೊಂದಲು ಈ ಮೂಲಕ ಅಪ್ಪಣೆ ಕೊಟ್ಟಿರುತ್ತೇನೆ”.

So it is crystal clear that the suit property was purchased by Munivenkatappa as a cultivator and by paying it's Govt price in auction sale held by the Govt. In this 'Grant Order', there in no single sentence stating that this land was granted to defendant No.1 or other two grantees as they belongs to SC/ST community.

18. Looking to the rival contentions of parties to the lis and conjoint reading of entire evidence on record, it appears that when the legal heirs of Defendant No.1 approached Assistant Commissioner to cancel the sale on the ground that the grant was made to them under PTCL Act (Ex.P19), the present Plaintiff got impleaded as Respondent No.7. Plaintiffs started claiming to the suit



property by taking the weakness of the Defendant and making that is as cause of action and filed this present suit.

The said proceedings was initiated during 2012-13 and this suit is filed in the year 2014. The approach of LRs of Defendant No.1 before Assistant Commissioner to cancel the Sale Deed itself was impermissible. It is needless to say that, Assistant Commissioner has no jurisdiction to cancel the **Grant** on the ground that grant condition was violated. In the grant order, no such condition is imposed stating that Grantees shall no sale/alienate the property for a period of 15 years. If really this land was granted under the Land Grant Rulings to SC/ST persons, then the condition of non alienation could have been inserted. But, Ex.P2 discloses that, the land was sold by the Tahsildar on behalf of the Govt/State to cultivators by collecting auction price.



19. Though these facts not pleaded by both the parties to the lis, but these document Ex.P-2 and Ex.D6 relied by the parties to the lis emphasizes and demonstrate the said fact on the facet of the document.

20. The main contention of the plaintiff that his grand father has purchased the suit property and hence he shall be declared as owner and possessor of the same, is without any proof. Plaintiff has not at all produced the original sale deed of his grand father. His main case is based on the said sale deed. But, he has not produced said document and produced certified copy of the same as per Ex.P4.

There is no pleading in the Plaint about this original Sale Deed. So, without foundation in the Plaint about original document or suit document or primary evidence, the secondary evidence or Certified Copy of Sale Deed is not at all admissible. The citation relied by the Defendant



on this Point is aptly applicable to the facts of the present case on hand. In para No.17 of the Civil Appeal No.13361/2015, the Hon'ble Apex Court held as under:-

“The pre-conditions for leading secondary evidence are that such original documents could not be produced by the party relied upon such documents in spite of best efforts, unable to produce the same which is beyond their control. The party sought to produce secondary evidence must establish for the non-production of primary evidence. Unless, it is established that the original documents is lost or destroyed or is being deliberately withheld by the party in respect of that document sought to be used, secondary evidence in respect of that document cannot accepted”.



Corollary to this, PW.1 during his cross examination, clearly admitted that they have possessed original Sale Deed but have not produced the same intentionally. The relevant admission is as under:

ನಿ.ಓ.3 ರ ಮೂಲ ದಾಖಲೆ ನಮ್ಮ ಬಳಿ ಇದೆ, ಅದನ್ನು ನಾವು

ಉದ್ದೇಶಪೂರ್ವಕವಾಗಿ ಹಾಜರುಪಡಿಸುತ್ತಿಲ್ಲ ಎಂದರೆ ಸರಿ.

21. Further, there is no material on record that on the basis of this sale deed, the name of this seller was deleted and the name of this purchaser was entered in the Record of Rights to the extent of 1 acre i.e., suit property. The old Record of Rights produced by defendant as per Ex. D8, the name of Munivenktappa was appearing all along and the name of purchase Mariyappa under Ex.P3 Sale Deed Dated:12.11.1965 was never entered. After deleting the name of Mariyappa, the name of Siddappa was also never entered.



Therefore, it is crystal clear that the said sale deeds were never acted upon. PW1 during his cross examination by the learned counsel for Defendant has admitted the said fact, which reads as under:-

“1965 ರಲ್ಲಿ ಮರಿಯಪ್ಪ ರವರು ಕಂದಾಯ ದಾಖಲೆಗಳನ್ನು ಅವರ ಹೆಸರಿಗೆ ಮಾಡಿಕೊಂಡಿರುತ್ತಾರೋ? ಇಲ್ಲವೋ? ಎಂದು ನನಗೆ ಗೊತ್ತಿಲ್ಲ. ಸಿದ್ಧಪ್ಪ ರವರು ಕಂದಾಯ ದಾಖಲೆಗಳನ್ನು ಅವರ ಹೆಸರಿಗೆ ಬದಲಾವಣೆ ಮಾಡಿಕೊಂಡಿರುವುದಿಲ್ಲ”.

22. The learned counsel for plaintiff vehemently argued that if the registered sale deed not cancelled, the same is genuine one and even the seller has no authority to challenge the alienations after reasonable time has been elapsed. But the said arguments cannot be accepted. Because, Hon'ble Apex Court time and again held that though registered document carries presumption of validity, it is open for parties to plead and prove that the document was sham, nominal or never



intended to acted upon. For this I relied upon the ruling reported in Tuslidhara and Anr V/s Narayanappa 2019 SC 262, wherein Hon'ble Apex Court held that **“The High Court framed only one substantial question of law which reads as under :**

“Whether the appellant is the owner and in possession of the suit land as he purchased it in the year 1973, that is, subsequent to the date 23.4.1971 when Ex.D1 – Partition deed – Palupatti is alleged to have come into existence?” 3.1 That by the impugned Judgment and Order, the High Court has allowed the said appeal and has interfered with the findings of facts recorded by both the Courts below and consequently has decreed the suit by holding that Exhibit D4 required registration and therefore the same was inadmissible in evidence. The High Court further observed and held that



both the Courts below are not justified in holding that document – Exhibit P1 was only a nominal sale deed and that the same was not acted upon.

3.2 Feeling aggrieved and dissatisfied with the impugned Judgment and Order passed by the High Court, original defendants have preferred the present appeal’’.-----

5.11 It is further submitted by Ms. Kiran Suri, learned Senior Advocate appearing on behalf of the original defendants that the High Court has committed a very serious error in setting aside the findings of facts recorded by both the Courts below that Exhibit P1 was a nominal Sale Deed. It is vehemently submitted by Ms. Kiran Suri that in the facts and circumstances of the case, the High Court has committed a grave error in giving much emphasis on Exhibit P1 being registered Sale Deed, without considering the surrounding



circumstances and the intention of the parties which are brought/borne out from the conduct of the parties.

5.12 Now, so far as not praying to set aside the Sale Deed (Exhibit P1) by the defendants by filing a suit is concerned, relying upon the decision of this Court in the case of Vidhyadhar v. Manikrao and Another (1999) 3 SCC 573, it is vehemently submitted that in a suit filed by the plaintiff for a declaration to declare him an owner on the basis of the Sale Deed, the defendant who is a stranger to the Sale Deed can raise a plea that the Sale Deed was void, fictitious, collusive or not intended to be acted upon and/or not binding to him. It is submitted that as held by this Court in the aforesaid decision, defendant can raise any legitimate plea available to him under the law to defeat the suit of the plaintiff. It is



submitted that therefore non-filing of the suit by the defendant to set aside the Sale Deed (Exhibit P1) and/or not specifically praying to quash and set aside the Sale Deed (Exhibit P1), would not defeat the case of the defendant and the same cannot go against the defendant.-----

In the aforesaid decision, this Court considered its earlier decision in the case of S. Shanmugam Pillai and Others v. K. Shanmugam Pillai and Others (1973) 2 SCC 312 in which it was observed as under:

“13. Equitable, principles such as estoppel, election, family settlement, etc. are not mere technical rules of evidence. They have an important purpose to serve in the administration of justice. The ultimate aim of the law is to secure justice. In the recent times in order to render justice between the parties, courts have



been liberally relying on those principles. We would hesitate to narrow down their scope.

The Judgment and Order passed by both the Courts below dismissing the suit, are hereby restored and consequently the suit filed by the original plaintiff is dismissed. No costs.-----

In this case also, Defendants have proved that the alleged Sale Deed as per Ex.P4 Dated.22.11.1970 was never acted upon. In this case, Plaintiff has not proved that the sale deed was acted upon and the name of his grand father was entered and after his death the names of his father and uncles were entered and after their death immediately his name was entered. So, without any iota of doubt I hold that the sale deed was never acted upon.

23. The Plaintiff has pleaded that Sale Deed was executed by Legal heirs of Mariyappa, but, as per Ex.P4 it



was Executed by not only wife of Mariyappa but also the brother of Mariyappa, who is not a legal heir. So, the pleadings itself is improper and incorrect.

24. Corollary to this, PW-1 during his cross examination specifically admitted that, his father and uncles have got divided other properties of their family. But the present suit property was not included in said partition. That itself clarifies the suit property under the alleged Sale deed in favor of Grand Father was never acted upon.

25. PW-1 has further specifically shown his ignorance about the possession of Mariyappa. It is nothing but an admission. If his grandfather vendor was not in possession then how grandfather of the Plaintiff gets possession is the moot point here is unanswered by the Plaintiff.



26. Further, As per Ex.D10 Record of Rights Phodi Order (ಎಕರೆ ಕಟ್ಟು ಜಾಸ್ತಿ ಪತ್ರಿಕೆ) the name of Grand father of Plaintiff was entered in RTC of Sy.No.50 and 21 guntas was shown as less land and the name of Defendant No.1 shown at Sl.No.8, new Sy.No.51 to the extent of 3 acres. Thus, If Siddappa had really purchased the suit property, then he could have challenged the same during his lifetime. He was grantee/purchaser of portion of same Sy No.6 measuring 2 acres. But, the fact that he has not applied or pressed for entering his name in RTC based on alleged Sale Deed Dated: 23.11.1970, appears improbable and doubtful one.

During his lifetime he has never claimed the suit property as a purchaser and has never applied for mutation in his name based on alleged sale deed. After his death his five sons have never claimed the suit property on the basis of said sale deed. The father of



Plaintiff by name Dyavanna has also never contented that the suit property was purchased by his father . But as stated supra Plaintiff has taken the cause of action of filing of application by LR's of Defendant No1 challenging the Sale Deed under PTCL Act and filed this suit.

27. The learned counsel for plaintiff vehemently argued that, no possession taken from the plaintiff as per Section 5(a) of PTCL Act. But, the said contention of the plaintiff went in vein, as the property is not come under the per view of PTCL Act.

28. The Plaintiff has not at all produced any document to show his possession over suit property. His oral evidence and oral evidence of Pw2 and PW3 is not at all sufficient to accept the case of the Plaintiff that he is in possession of suit property and cultivating the same. He has not at all paid Land Revenuer of suit property. His grand father or father or uncles have not at all paid Land



Revenue of suit property. Per contra, Defendants have produced Land Revenue receipts as per Ex.D21 to Ex. D25 to show that they are paying land revenue of suit property. On the basis of registered Sale Deed, the grand father of Plaintiff never came in possession and hence the present suit filed by the Plaintiff i.e., suit for declaration without relief of possession is not at all maintainable as per proviso of Sec. 34 of Specific Relief Act, Plaintiff ought to seek appropriate relief of possession. But without said prayer the suit of the Plaintiff is not maintainable.

29. Further, Ex.P5 Encumbrance Certificate Ex.P6 Nil Encumbrance Certificate are not at all helpful to the Plaintiff to prove his case that the Sale Deed was acted upon. Ex.P7 proceedings before Assistant Commissioner; Ex.P8 Application filed by Narayana Swamy (Defendant No.1(e) before Tahsildar are not at all helpful to the Plaintiff.



Ex.P9 GPA, Ex.P10 Agreement of Sale executed by Defendant No.D1(a) to D1(i) in favor of Defendant No. 2 and 3 are not at all helpful to the Plaintiff to prove his case. Ex.p11 PTCL order filed by the wife of brother of Defendant No.1 is also not helpful to the Plaintiff. E.P12 order passed by DC also not came to aid to Plaintiff to prove his case.

30. If the Sale Deed is it self void under PTCL Act, then, Plaintiff claiming the suit property under such sale deed is also vide and he cannot claim any benefit on that strength. Ex. P13 to P17 phodi documents are also not helpful to the Plaintiff to prove his possession over the suit property.

31. Ex.P23 the Plaint copy of O.S.No.87/2012 filed by LR's of Defendant No.1 for the relief of Injunction Simplicitor, Ex.P24 interim application of said suit are



not at all helpful to plaintiff. Ex.P25 Mutation No.2/1983-84 is helpful to the Defendant No.1 but not to the Plaintiff. Under this Mutation, the name of Defendant No.1 was entered in RTC of Sy.No.6 to the extent of 3 acres. Ex.P26 i.e., Mutation between Defendant No.1 and Mukthar Ahmed Khan. Exp27 is MR No.H14, under which the name of Defendants No.1 (a) to (e) were entered as per AC order, are not helpful to Plaintiff.

32. Likewise, oral evidence of PW2 that Plaintiff is in possession of suit property is not at all helpful to Plaintiff. Ex.P30 RTC produced by PW2 with respect to Sy.No.6 is standing in the name of Chikkakallappa and not in the name of PW2. So, the said document is totally irrelevant to PW2 and having no connection to the case on hand. Likewise, oral evidence of PW3-Devaraj and Ex.P32 and P33 RTC of Sy.No.6 are also not helpful to the Plaintiff because the grand father of plaintiff has also



purchased the portion of Sy.No.6 as per Ex.P2/ Ex.D6. Even if plaintiff is in possession of Sy.No.6 with respect to the portion purchased by his grand father, the said evidence is not helpful to the plaintiff to prove his possession over the suit property.

33. Exhibit P-35 petition copy in Writ Petition No.15158/2019 and Exhibit P-36 order in said Write Petition and Exhibit P-37 writ Appeal order are also not helpful to the Plaintiff that he has purchased the suit schedule property and he has inherited the same. As per these orders, the dispute has to be decided by the Civil Court i.e., in this present case on hand. As above stated Plaintiff has not proved his title. He has not at all produced original Title Deed/ document.

34. The suit for declaration based on title has to be proved by the Plaintiff independently the weakness of the



Defendant cannot be used as trump card on this point I relied the ruling 41. *In the suit for declaration for title and possession, the plaintiffs-respondents could succeed only on the strength of their own title and not on the weakness of the case of the defendants-appellants. The burden is on the plaintiffs-respondents to establish their title to the suit properties to show that they are entitled for a decree for declaration. The plaintiffs-respondents have neither produced the title document i.e. patta-lease which the plaintiffs-respondents are relying upon nor proved their right by adducing any other evidence. As noted above, the revenue entries relied on by them are also held to be not genuine. In any event, revenue entries for few Khataunis are not proof of title; but are mere statements for revenue purpose. They cannot confer any right or title on the party relying on them for proving their title. Observing that in a suit for declaration of title, the plaintiffs-respondents are to succeed only on the strength of their own title irrespective*



of whether the defendants-appellants have proved their case or not, in Union of India and others v. Vasavi Co-operative Housing Society Limited and others (2014) 2 SCC 269, it was held as under:-

“It is trite law that, in a suit for declaration of title, the burden always lies on the plaintiff to make out and establish a clear case for granting such a declaration and the weakness, if any, of the case set up by the defendants would not be a ground to grant relief to the plaintiff.”

35. Exhibit P-38, evidence of present DW-1-Sahana Pai in OS No. 871/2012 is not at all helpful to the present Plaintiff, as the said case is still pending for consideration it is pending before Civil Judge for consideration. Learned Counsel for Defendant vehemently argued defendant never executed Sale Deed and therefore Section 68 of Indian Evidence Act is not applicable.



The contention of counsel for Defendant that Plaintiff has to examine the at least one attesting witness to the registered Sale Deed cannot be accepted because Sale deed is not compulsorily attestable document. The ruling relied by the Plaintiff on this point report by 2007 58 AIC19 wherein Hon'ble Apex Court held as under:-

“ The law does not require attestation of Sale Deed as compulsory one. Section 54 and 59 of Transfer of Properties do not speak about compulsory attestation. When law does not require compulsory attestation of a document, such unattested document may be proved as per provisions of Indian Evidence Act. Section 68 of Indian Evidence Act has no application for Sale Deed. Section 68 of Indian Evidence Act is applicable only to the cases where the documents are required to attested in law”. This citation is aptly applicable on the said contention. Hence, I decline to accept said contention of the defendant.



36. The second citation relied by the Plaintiff 2025 INSE 1038 (Civil Appeal No.11330/2011) is perused by me. It is on section 50 of Indian Evidence Act, the facts of the case is not at all applicable to this case, hence with due respect I hold it it is not applicable to the present facts and circumstances of the case of hand.

37. I have perused all the citations furnished by the plaintiff they are clearly emphasizes the settled position of law ,but the same cannot be applicable to this an hand as in said cases, because, the case was proved by the Plaintiff by leading cogent and convincing evidence, but in this case on hand the Plaintiff has miserably failed to prove that his grandfather purchased the said suit property. The fact that the Grandfather of Plaintiff, Father of Plaintiff and Uncles of Plaintiff not made any efforts to claim the suit property on the basis of alleged Sale deed itself shows that there is a genuine



doubt of about Existing of valid Sale Deed in favor of Siddappa.

The Defense of the Defendants that the Sale Deed is not at all acted upon appears more probable.

From the date of Sale Deed the suit is not filed within the period of 12 years for possession. So Suit of the Plaintiff is barred by Law of Limitation also.

38. The Defendant No.2 and 3 are intending purchaser of Suit property they are not the necessary or proper party of the suits Just because LR's of Defendant No.1 have challenged the alleged Sale Deed in favor of Grand Father of Plaintiff, the same itself will not give a cause of action to the Plaintiff. As discussed supra weakness of Defendant cannot be used as trump card to the Plaintiff, the Plaintiff ought to prove his case on his own footing.



39. I have also perused the rulings relied by the defendant. They are also stated settled position of law and well established norms. But, they are not aptly applicable to present case on hand except one of the ruling as discussed supra.

40. The crux of the case on hand is “Suit based on Title” and without producing Title Document, the Plaintiff cannot prove his case satisfactorily and it is always Subjection Satisfaction of the court. In the absence of the same, the plaintiff is not entitle for any relief. Hence, without any iota of doubt that, I hold that the plaintiff miserably failed to prove that he himself along with his family are the absolute owners of the suit property and they are in possession and enjoyment of the said property. Accordingly, I answer **Issue No.1 and 2 in the “Negative”.**



41. **ISSUE NO.3:** It is the specific contention of the plaintiff that defendants interfere with their possession over the suit property. But, as discussed above the plaintiff has failed to establish his title over the suit property, hence the question of considering the possession in these case would not arise. Hence, looking to the pecuniary facts and circumstances of the case I hold that this issue of alleged interfere by the defendants does not survive for consideration. Accordingly, I answer **Issue No.3 as “Does not survive for consideration”.**

42. **ISSUE NO.4:** It is settled position of law that the court, however, as a rule, before granting the relief of Declaration and Permanent Injunction , must satisfied that plaintiff has existing legal right over the suit property and it shall be valid one and such right must be violated are their should be a threatened invasion. But, as discussed supra the plaintiff has not established his legal existing



right over the suit property. hence, I hold that the plaintiff is not entitle for declaratory relief and also consequentially relief of Injunction. Accordingly, I answer **Issue No.4 in the"Negative"**.

43. **ISSUE NO.5:** For foregoing reasons supra and in view of my answer to Issue No.1, 2 and 4 in the Negative and Issue No.3 as does not survive for consideration, I proceed to pass the following;

ORDER

*The suit of the plaintiff is hereby
dismissed with costs.*

Draw a decree accordingly.

(Facts for the case dictated to the Stenographer directly on computer, rest of the Judgment dictated, transcribed & computerized by her, same is corrected by me and directly on computer and then pronounced by me in the open court on this the 06th Day of August, 2026).

Sd/-

(Vijayalaxmi Ghanapur)

I Addl. Senior Civil Judge & J.M.F.C.,
Devanahalli.

**ANNEXURE****List of witnesses examined on behalf of the Plaintiff:-**

PW.1 : Sri. Ramachandra
PW.2 : Sri. Nagaraj
PW.3 : Sri. Devaraj

List of witnesses examined on behalf of the Defendants:-

DW.1 : Sri. Sahana Pai

List of documents exhibited on behalf of the Plaintiff:

Ex.P.1 : Genealogical Tree
Ex.P2 : Certified Copy of Saguvali Chit
Exs.P.3 & P4 : Certified Copy of Sale Deed Dated:
12.11.1965 & 23.11.1970
Exs.P.5 & P6 : Encumbrance Certificate
Ex.P.7 : Certified Copy of Order sheet in RA-
366/2011
Ex.P.8 : Certified Copy of the requisition
Ex.P.9 : Certified Copy of the GPA dated:
25.01.2014
Ex.P.10 : Certified Copy of Agreement of Sale
dated: 25.01.2014
Ex.P.11 : Certified Copy of the Order copy of
PTCL 28/2017-18



- Ex.P.12 : Certified Copy of the
GRP.No.7/2011-12
- Exs.P.13 to P18: 6-Certified Copy of the Phodi Sketch
- Ex.P.19 : Certified Copy of order copy PTCL-
31/2012-13
- Ex.P.20 : Copy of Vakalath
- Ex.P.21 : Order of Deputy Commissioner
- Ex.P.22 : Certified Copy of the order in SC/ST
Appeal No.33/2017 and Appeal
No.57/2017-18
- Ex.P.23 : Certified Copy of plaint in
O.S.No.871/2012
- Ex.P.24 : Certified Copy of I.A.
- Exs.P.25 to P27: Mutation Register Extract
- Exs.P.28 & P29: 2-R.T.C. Extracts
- Ex.P.30 : R.T.C. Extract
- Ex.P.31 : Notarized copy of Aadhar Card
- Exs.P.32 & P33: 2-R.T.C. Extracts
- Ex.P.34 : Notarized copy of Aadhar Card

List of documents exhibited on behalf of the Defendants:

- Ex.D.1 :
- Ex.D.2 : Certified Copy of GPA Dated:
07.08.2019



- Ex.D.3 : Certified Copy of Genealogical Tree
- Ex.D.4 : Application for allotment of land
20.06.1987
- Ex.D.5 : Order of Tahasildar
- Ex.D.6 : Saguvali Chiti dated 01.07.1965
- Ex.D.7 : Form No.88
- Ex.D.8 : Revenue Tenancy record for
Sy.No.51 for the year 1983-84 to
2001, 2002-2004 to 2012-13
- Ex.D.9 : Survey sketch of the property
- Ex.D.10 : Order of Tahasildar dated
30.11.1979
- Ex.D.11 : Mahazar Report dated 05.03.2012
- Ex.D.12 : Mutation Register Extract
- Ex.D.13 : Akarband Durasthi on 29.07.1966
- Ex.D.14 : Re-Survey order along with attested
Sketch
- Ex.D.15 : Hissa order along with Mahazar
- Ex.D.16 : Hissa Notice
- Ex.D.17 : Hadubast dated 17.01.2012
- Ex.D.18 : Notice of Hadubust dated
04.01.2012
- Ex.D.19 : Hadubust Mahazar and Sketch
- Ex.D.20 : Police Complaint



- Exs.D.21 to D25: 5-Tax Paid Receipts
- Exs.D.26 to D28: 3-Encumbrance Certificates
- Ex.D.29 : Cast Certificate
- Ex.D.30 : Income Certificate
- Ex.D.31 : Order of Deputy Commissioner &
District Magistrate Bangalore Rural
District Dt:20.05.2017 in case
No.LND.SC/ST(A) 2016-17
- Exs.D.32 & D33: Index of Land & Record of
Rights
- Exs.D.34 & D35: Copy of Survey Notice & Certified
Copy of Mahazar
- Ex.D.36 : Encumbrance Certificate
- Ex.D.37 : Certified Copy of order in Review
Petition No.251/2025

Sd/-

(Vijayalaxmi Ghanapur)

I Addl. Senior Civil Judge & J.M.F.C.,
Devanahalli.