

DECREE FOR INJUNCTION
IN THE COURT OF THE PRL.CIVIL JUDGE & J.M.F.C., KADUR

O.S. 59/2018

PLAINTIFF:

P.G.Yogesha S/o Govindappa,
Aged about 47 years, Agriculturist,
2. P.C.Sumithra W/o P.G.Yogeesha,
Aged about 45 years, Agriculturist,
Both are R/at. Pattanagere village at post, Kasaba
Hobli, Kadur taluk,
Chickkamgaluru District.

--V/S--

DEFENDANTS:

1. P.D.O., Pattanagere, Pattanagere Grama
Panchayath, Kadur Taluk, Chikmagalur Dist.
2. Executive Officer, Taluk, Panchayath, Kadur.
3. Chief Executive Zilla Panchayath,
Chikmagalur.
4. Thimmashetty S/o Late Thimmappa,
Agriculturist, Aged about 65 years,
5. P.C.Anjanappa S/o Late Chinnagiriyappa,
Aged about 65 years,
6. P.H.Nagaraja S/o Late Hanumathappa,
(moolemane), Aged about 52 years,
7. P.T.Ravi S/o Late Thimmaiah,
Agead about 48 years,
8. P.G.Thimmaiah S/o Giriyajja,
Aged about 68 years,
9. P.M.Ravi, S/o late Mariyappa,
Aged about 47 years,
10. Rajanna S/o Puttappa, Aged about 55 years,
11. P.T.Raju S/o Lali Thimmanna,
Aged about 45 years,
12. Chandraiah P.K. S/o Late Javali Krishnappa,
Aged about 60 years
13. P.G.Narayanappa S/o Kokke Govindappa,
Aged about 50 years,
14. Puttappa S/o Late Rangajjana,
Aged about 60 years,
15. Ramesh P.A. S/o Anjanappa,
Aged about 40 years,

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- 16.** Venkatesh S/ Hanumanthappa,
Aged about 20 years,
Defendants No.4 and 5 are the
panchayath members and
4 to 16 all are Agriculturist,
R/o Pattanagere village, Kadur taluk,
- 17.** Krishnanaika, Grama Panchayathi members,
N.G.Koppalu, Pattanagere post, Kadur taluk.

Suit filed on : 18.01.2018

RELIEFS : The Plaintiffs prays for the judgment and decree against the defendants no.1, 4 to 17 for the following relief:-

- a) For declaration to declare that the plaintiff is the absolute owner of the 'B' schedule property which is part and parcel of the 'A' schedule property.
- b) For mandatory injunction directing the defendants to remove the borewell, motor pumps and pipes and electric assessaries.
- b) For court cost and such other reliefs as this Hon'ble court deems fit to grant under the circumstances of the case.

This suit is coming on 1st day of February 2024 for final disposal before **Sri.Ram Prashanth.M.N., B.A., LLB.**, Prl. Civil Judge & J.M.F.C., Kadur, in the presence of Sri. K.N. Rajanna, Advocate for Plaintiffs and Sri. C.M. Gangappa, advocate for defendant no.1 to 3, Sri. C. Balajinaik, advocate for defendant no.4 to 7.

After contest and by pronouncing judgment, the suit of the plaintiffs is decreed with cost.

It is further ordered and declared that the plaintiffs are the absolute owners of B schedule property, which is part and parcel of A schedule.

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It is further ordered and decreed that, defendants and their men, agents are hereby directed to remove the bore-well, motor-pump, pipes and electric accessories from the 'B' schedule within one month from the date of this order.

It is further ordered and decreed that, the defendants are directed and shall stop the running/pumping water from the bore-well installed in the B schedule.

It is further ordered and decreed that, defendant no.1 shall bear the cost of the plaintiffs.

Given under my hand and the seal of the Court, this the 1st day of February 2024.

Decree Signed On: 12.02.2024

Sd/-
Prl.Civil Judge & J.M.F.C.,
Kadur.

MEMORADUM OF COSTS INCURRED IN THIS SUIT

Sl. No	Particulars	By Plaintiff	By defendants
1	Court Fee on the plaint	25-00	--
2	Court Fee paid on the power	--	--
3	Court Fee paid on the I.As.		--
4	Service of Process	100-00	--
5	Advocate's Fee (F.C.not filed)		--
	Total	125-00	--

Sd/-
Prl.Civil Judge & J.M.F.C.,
Kadur.

'A' SCHEDULE

Areca and coconut garden landed property with having bore-well I.P. Set No.50, bearing Sy.No.7/3, measuring 1 acre 27 guntas, Asst. Rs. 5-52, situated at Pattanagere village, Kasaba hobli, Kadur taluk, bounded on the East by : 16 feet width road which left by the plaintiffs, West by : Shed property of Puttappa, South by : Property of P.T. Sreenivasa, North by : 16 feet width road which left by the plaintiffs

'B' SCHEDULE

The disputed bore-well situated in the encroached area measuring 5 x 40 feet, towards north-east portion of the 'A' schedule property situated at Pattanagere village, in Sy.No.7/3 and which is part and parcel of the 'A' schedule property.

**Sd/-
Prl.Civil Judge & J.M.F.C.,
Kadur.**

:VALUATION SLIP:

This suit is valued for the purpose of court fee and jurisdiction and valued Rs.1,000=00. Hence the court fee of Rs.25=00 has been paid U/Sec. 26(c) of KCF and SV Act.

**Sd/-
Prl.Civil Judge & J.M.F.C.,
Kadur.**