

KACM300005712015



Govt. of Karnataka  
Decree in Original Suit

APPENDIX-D

**IN THE COURT OF THE CIVIL JUDGE AND J.M.F.C., AT KOPPA.**

**O.S.NO.61/2015**

Plaintiff

O.D.Ramanna,  
S/o Late.Dugappa Gowda,  
Aged about 60 years,  
Agriculturist,R/o Oni Thota,Marithotlu  
Village,Andagaru Post,Koppa Taluk,  
V/S

Defendant

1.Sri.Laxamanna,  
S/o Late. Duggappa Gowda,  
Aged about 58 years,  
Agriculturist.R/o Oni Thota,  
Marithotlu Village,  
Andagaru Post,Koppa Taluk.

2. Sri.Ratanakar,  
S/o Late, Duggappa Gowda,  
Aged about 54 years,  
R/o Bharath Rice Mill Road,  
Koppa Post,Koppa.

3. Sri.Mohana,S/o Late Duggappa Gowda  
Aged about 52 years,  
Agriculturist,R/o Oni Thota,Marithotlu  
Village, Andagaru Post, Koppa Taluk.

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**SUIT IS FILED ON : 14/07/2015.**

**SUIT CLAIM:**

The suit filed by the plaintiff for Judgment and decree against the defendant for the following relief's,

- a) For a declaration that the plaintiff is entitle  $\frac{1}{2}$  share in the suit schedule property A to C properties as per recital of the partition deed bearing S.R.No 296/1982-83 registered in the office of the Sub-registrar Koppa.
- b) For a partition by metes and bounds by allotting  $\frac{1}{4}$  share in the D schedule property.
- c) By appointing the court commissioner for the demarcation of the A to C & D schedule property and put the plaintiff and defendant in respective shares as per the decree.
- d) Restraining defendants, their men, agents,workmen or any other persons claiming though them from trespassing upon suit E to H schedule properties or causing any damage in any manner in the interest of justice and equity.
- e) By mean profit.
- f) For the court costs and such other relief's.

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This suit is coming on 30<sup>th</sup> of January 2023 for final disposal before Smt. Aishwarya Chidanand Pattanshetti, B.Com., LL.M., Civil Judge and J.M.F.C., Koppa, in the presence of Sri.B.S.Naveen Rao, Advocate., for the Plaintiff and Sri. G.M.Vishwanatha, Advocate., for the Defendan No.1 to 3.

After contest by pronouncing the Judgment, it is ordered that, the suit of the plaintiff is hereby **Dismissed**.

Further it is hereby ordered and decreed that, No order as to costs.

Given under my hand and seal of the court, dated this the 30<sup>th</sup> day of January 2023.

Decree signed on: 09/02/023.

Sd/-xxx  
(AISHWARYA CHIDANAND PATTANSHETTI)  
Civil Judge and J.M.F.C.  
Koppa.

Sd/-xxx  
(AISHWARYA CHIDANAND PATTANSHETTI)  
Civil Judge and J.M.F.C.,  
Koppa.

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**MEMORANDUM OF COST INCURRED IN THIS SUIT**

		By the Plaintiff	By the Defendant No.1 to 3
1	Court Fee on Plaint	5125-00	-
2	-do- on Power	Vak. filed	Vakalath failed
3	Advocate Fee(FC filed)	FC filed 2000-00	FC filed 2000-00
4	Process fee	75-00	30-00
5	Copy Applications	210-00	98-00
6	I.A.	-	-
	<b>TOTAL</b>	<b>7410-00</b>	<b>2128-00</b>

SD/-XXX  
 (AISHWARYA CHIDANAND PATTANSHETTI)  
 Civil Judge and JMFC.,  
 KOPPA.

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### **“A” SCHEDULE PROPERTY**

Mangalore tiled and Asbestors shet (earlier Thatched house) residential house situated in survey No.25 of the Marithotlu village of the Kasaba Hobli Koppa tq measuring an extent of 12.16 meters X 3.95 meters having previous SI No.26/25 of the Marithotlu Grama Panchayath in its Assessment List for the year 1988-89 and Narasipura Grama Panchayath Khatha Book SI No. 33 Khatha No.33 Assessment No.32 for the year 2005-06.With the following boundaries ;-

- East : Land belongs to the Mohan in survey No.25.  
West: Government land.  
North: Shed belongs to the Plaintiff and thereafter the property of the Narasimhaiah Road leading to the residential house and Drying,Yard (Kana belongs to the plaintiff G schedule property).  
South: Tharshing Yard belongs to the plaintiff and Wet lands of the Narasimhaiah.

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**“B” SCHEDULE PROPERTY**

Thatched Shed (used for the storage of fire wood) measuring an extent of 3.64 meters X 2.43 meters having Assessment No.27/26 House and land Assessment list for the 1988-89 & Assessment SL No 35 and Assessment No.34 for the year 2005-06 of the Marithotlu Grama Panchayath with the following boundaries:-

East: Land belongs to the Mohan in survey No.25.

West: Government land.

North: “A” schedule property.

South: “C” schedule property.

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### **“C” SCHEDULE PROPERTY**

Thatched cattled shed measuring an extent of 9 feet X 40 feet having Assessment No.28/27 in House and Land Tax Assessment list for the year 1988-89 and assessment No.33 Khatha No,32 for the year 2005-06 of the Marithotlu Grama Panchayath with the following boundaries.

East:Land in survey No.25.

West:Government land.

North: “B” schedule property.

South: Lands in Survey No.25.

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### **“D” SCHEDULE PROPERTY**

Garden land measuring an extent of 0-26 gunts situated in survey No.31 of the Marithotalu village of the Kasaba Hobli Koppa tq having assessed at Rs.13.74 with the following boundaries.

East: Wet lands in survey No.32.

West: Wet lands of Babu Poojary.

North: Government Hillock.

South: Trench (Agalu) and wet lands of Babu Poojary.

### **“E” SCHEDULE PROPERTY**

Cattle shed measuring an extent of 20x9 feet situated in survey No.96 of the Marithotalu village of the Kasaba Hobli Koppa tq with the following boundaries.

East: Survey No.25.

West: Government land in survey No.96.

North: Sy No.25 and Road.

South: Government land A schedule Property.

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### **“F” SCHEDULE PROPERTY**

Shed measuring an extent of 14 feet X 14 feet situated in survey no.96 of the Marithotalu Village of the Kasaba Hobli Koppa tq with the following boundaries.

East: Survey No 25.

West: Government land in survey No.96.

North: Government Land.

South: Road in survey No.25 and A schedule property.

### **“G” SCHEDULE PROPERTY**

Thrashing yard extent of 04 guntas situated in survey No.25 of the Marithotalu village of the Kasaba Hobli Koppa tq with the following boundaries.

East: Survey No.24 earlier belongs to the Narasimhaiah and now belongs to the Ramesh.

West: Government land in survey No.96

North: Survey No.24

South: Road in survey No.25 and A schedule property.

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**“H” S C H E D U L E P R O P E R T Y**

Angala measuring an extent of 70x30 feet situated in survey No.25 of the Marithotalu village of the Kasaba Hobli Koppa tq with the following boundaries.

East: Survey No.25

West: A schedule property

North: Kanna G schedule property.

South: Survey No.25

Sd/-xxx  
(AISHWARYA CHIDANAND PATTANSHETTI)  
Civil Judge and JMFC.,  
Koppa.

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**IN THE COURT OF THE CIVIL JUDGE AND J.M.F.C.  
AT KOPPA**

**O.S.No. 61/2015**

PLAINTIFF : Shri.O.D.Ramanna  
S/o Late Duggappa Gowda,

V/s

DEFENDANT : 01.Shri.Laxamanna  
S/o Late Duggappa Gowda and  
others

**VALUATION SLIP**

That the plaintiff is seeking the partition with regard to the D schedule property and therefore the same is valued as under.

Sl No	Survey	Valuation made under Section 7(2) (b)	Other method arrived for valuation 12 ½ time of the land revenue	Market value of the property.
1	31	13.74	171.75	3,00,000-00

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That the suit schedule A property is house property and plaintiff is seeking the declaration and partition, therefore the suit property is not separately valued the market value of the same is 1,00,000-00 and,The share of the plaintiff is 0,50,000-00.

That the suit schedule B & C properties are valued for a sum of Rs.50,000-00 and they are not separately valued.The value of the suit property is 25,000-00 to the extent of plaintiff share.

That the suit of the plaintiff is one for the partition the land revenue is less then thousand and therefore the suit is valued for a sum of Rs.1000-00 and a court fee Rs.200-00 is paid on plaint as per Section 35(1) of the Karnataka Court fee and suit Valuation Act.

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That the plaintiff is also claimed the declaration as per the partition deed as plaintiff has got  $\frac{1}{2}$  share in the suit schedule A to C properties, Hence the same is valued for a sum of Rs.1000-00 as per section 24(d) of Karnataka Court fee and suit valuation Act and a court fee of Rs.25-00 is paid on plaint as per Section 24(d) of the Karnataka Court fee and suit valuation Act.

That the plaintiff is also praying injunction on schedule property E to H properties, therefore the suit is valued for a sum of Rs.1000-00 and a court fee 25-00 is paid on plaint as per section 26(c) of the K.S.F.V.Act.

For the purpose of the jurisdiction the suit is valued for a sum of Rs.75,000-00 as per section 50 of the KSFC Act.

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The court fee of Rs.5125-00 is paid on plaint as per Section 35(1),24(d) & 26(c) of the Karnataka Court fee and suit valuation Act.

Place : Koppa  
Date : 07/07/2015

-sd-xxx  
Advocate for  
Plaintiff

“COPY”

Sd/-xxx  
Civil Judge and JMFC.,  
Koppa.