

DECREE IN PARTITION AND SEPARATE POSSESSION AND DECLARATION SUIT

**IN THE COURT OF THE PRL. CIVIL JUDGE & JMFC.,
AT: MUDIGERE**

O.S.No.117/2023

PLAINTIFF:

Smt.Pavithra.D.M,
Aged about 33 years,
D/o D.S.Moganna Gowda,
W/o Sathisha,
R/at Anedibba,
Gonibeedu Village & Hobli,
Mudigere Taluk.

(.....Plaintiff)

V/s

DEFENDANT/S :

- 1.** D.S.Moganna Gowda,
S/o late D.A.Somegowda,
Aged about 56 years.
- 2.** Sri.Prasanna.D.M,
Aged about 35 years,
S/o D.S.Moganna Gowda.

Both are R/at Devavrunda Village
& Post, Gonibeedu Hobli,
Mudigere Taluk.

- 3.** A.J.Adharsha,
Aged about 49 years,
S/o late B.M.Jayashankar,
R/at Bettagere Village & Post,
Banakal Hobli,
Mudigere Taluk.

(.....Defendants)

SUIT FILED ON 21.11.2023

CLAIM: The plaintiffs humbly prays this Hon'ble Court to pass a judgment and decree in favour of plaintiff and against the defendants for the following reliefs :

- a) For partition of schedule property and separate possession of 1/3rd in the schedule properties.
- b) For declaration that the sale deed bearing S.R.No.1492/2015-16 dated:02.11.2015 is not binding on the right of the plaintiff as the same is not product of fraud and said sale deed is null and void same is to be cancelled.
- c) For enquiry into past/future manse profits with respect to the schedule property under order XX Rule 12 and 18 of CPC.
- d) For court costs and such other reliefs as this Court deems fit to grant under the circumstances of the case, in the ends of justice.

This suit is coming on this day for final disposal before **Sri.Yogesha M.R., B.A., LLB., Prl. Civil Judge & JMFC., Mudigere**, in the presence of **Smt. K. Vishala** Advocate for the **plaintiff** and **defendant No.1 and 2** are **ex-parte**. **Sri.D. Sudhir**, Advocate for the **defendant No.3**.

By pronouncing judgment, it is ordered and decreed that the **suit of the plaintiff is hereby dismissed with cost of Rs.5,000/-**.

Given under my hand and seal of the court, this the 06th day of August 2026.

Decree signed on:13.08.2026

Sd/-
Prl. Civil Judge & JMFC.,
Mudigere

MEMORANDUM OF COSTS INCURRED IN THE SUIT

Sl. No.	Description	By the plaintiff Rs. Ps.	By the Defendants Rs. Ps.
1.	Court fee on plaint	200-00	--
2.	Service of process	48-00	--
3.	Advocate's fee	F.C. not filed	--
TOTAL		248-00	--

Sd/-
Prl. Civil Judge & JMFC.,
Mudigere

SCHEDULE

The schedule property is situated at Devarunda Village, Gonibeedu Hobli, Mudigere Taluk, Chikkamagaluru District, having the following boundaries;

Item No:	Survey No:	Kind	Extent A----G	Assessment
1	102	Plantation	01acre 36 gunta (Karab:10 gunta's) total 02-06 g.	15-16 pais

East : Land of Sy.No.103 of Devarunda Village
West : Land belongs to Rathnagiri Estate
North : Land of Kanachur Manjappa
South : Kanachur-Gowdahalli road

Sd/-
Prl. Civil Judge & JMFC.,
Mudigere