

**Preliminary Decree
DECLARATION, PARTITION &
SEPARATE POSSESSION**

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

O.S. 57/2022

Plaintiff: **Smt. Rathna @ Thungamma**
D/o Vasantha kumar
Aged about 47 years,
Agriculturist,
R/o Madenahalli village,
Malsavara Post,
Beluru Taluk.

-VS-

Defendants: **1. Smt. Manjamma**
W/o late. A.M. Vasantha kumar
Aged about 65 years,

2. Smt. Shaila
D/o late. A.M. Vasantha Kumar
Aged about 43 years.

3. Sri. Neelraj
S/o late. A.M. Vasantha Kumar
Aged about 40 years.

4. Sri. Manjunatha,
S/o late. A.M. Vasanha kumar
Aged about 38 years,

5. Sri. Deepak
S/o late. A.M Vasantha kumar
W/o Sudhakara,

Aged about 35 years,
R/o Devarunda village & post,
Gonibeedu hobli,
Mudigere Taluk.

SUIT FILED ON 05.07.2022

CLAIM: This suit is filed by the plaintiff for judgment and decree against the defendants for the following reliefs:-

- a. For a declaration to declare that Registered Gift deed bearing S.R/BKI-1 No1042/2012-13 dated 25-08-2012 executed by and between Defendant No.1 to 3 and 4 is not binding on the Plaintiff.
- b. For a declaration to declare that Registered Gift Deed bearing S.R/BKI-1 No 1492/2021-22 dated 16-11-2021 executed by and between Defendant No.1 to 5 is not binding on the Plaintiff.
- c. For partition and separate possession of the Plaintiff legitimate share in the Schedule Property.
- d. For future mesne profit in the Schedule Property under Order XX Rule 18 of C.P.C.
- e. For court cost and such other relief as this Hon'ble court deems fit under the circumstances of the case.

This suit is coming on this the 9th day of July 2026 for final disposal before Sri. Prakash P.M., M.B.A., L.L.B., Senior Civil Judge & JMFC., Mudigere, in the presence of Sri. Siddaiah.D., advocate for plaintiff and Sri. N.S.Jayaram., advocate for defendants.

After contest and by pronouncing judgment it is ordered that, the suit of the plaintiff is **partly decreed**.

Further it is ordered that, the plaintiff is entitled to **1/6th** share in Item Nos.5 to 8 of the suit schedule properties.

Further it is ordered that, the claim of the plaintiff in respect of Item Nos.1 to 4 is dismissed.

Further it is ordered that, the counterclaim is disposed of by holding that the defendants are also entitled to their respective **1/ 6th shares in Item Nos.5 to 8** of the suit schedule properties.

Further it is ordered that, no order as to costs.

Given under my hand and seal of the court, this the 9th day of July 2026.

Sd/-XX

Senior Civil Judge & JMFC.,
Mudigere.

Decree signed on:14.07.2026

Sd/-XX

Senior Civil Judge & JMFC.,
Mudigere

MEMORANDUM OF COSTS INCURRED IN THE SUIT

Sl. No.	Description	By the plaintiffs Rs.	By Defendant No.1 to 05 Rs.
1	Court fee on plaint	225-00	75-00
2	Service of process	40-00	-
3	Commissioner fee	--	-
4	Advocate's fee	500 -00 (FC Filed)	500 -00 (FC Filed)
	TOTAL	765-00	575-00

Sd/-XX
Senior Civil Judge & JMFC.,
Mudigere.

SCHEDULE

The properties are situated at Devarunda village, Gonibeedu Hobli, Mudigere Taluk, having the following particulars:-

Sl. No.	Sy.No.	Kind	Extent A-G	Assmnt Rs.Ps.	Village
1	129/1A	Plantation/ Coffee	0-25	4.38	Devarunda
2	130/1	Wet/coffee	0-09	-	Devarunda
3	134/1	Plantation/ Coffee	9-19	70-27	Devarunda
4	118/1	Wet	6-02	33-95	Devarunda
5	107	Wet/areca nut	3-14	16-82	Devarunda
6	129/1B	Plantation/ Coffee	3-31	27-61	Devarunda
7	105	Wet/Areca nut	2-19	12-43	Devarunda

8	140	Wet/Coffee	5-36	41-60	Devarunda
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The item No.1 , 2 and 3 of the above property is having the following boundaries:

East: Property of Majunath Achary

West : Land of Rathnagiri Estate

North: Land of Kandan Estate

South: Land of Prasanna

The item No.4 the above properties having the following boundaries:

East: Land of Manje Godwa

West : Land of Devaraj

North: Land of Manje gowda

South: Land of Vasantha Kumar

The item No.5 to 8 of the above properties having the following boundaries:

East: Land of Manje Godwa

West : Land of Kandan Estate

North: Land of Uddegowda

South: Land of Prasanna

Sd/-XX

Senior Civil Judge & JMFC.,
Mudigere.