

**IN THE COURT OF THE ADDL. CIVIL JUDGE &
J.M.F.C.; TARIKERE**

O.S. No.97/2011

Plaintiff

Ramesha S/jo Muddappa,
Aged 38 years, Driver, R/o Shivani
village and Hobli, Tarikere taluk.

V/S

Defendant

- 1 Ramappa S/o Rudrappa,
aged about 45 years, Agriculturist,
R/o Shivani village and Hobli, Tarikere
Taluk.
- 2 Lakkamma W/jo Ramanna,
Aged about 65 years, Household
work.R/o Shivani village and Hobli,
Tarikere Taluk.
- 3 Sumamma W/o Thimmanna,
Aged about 40 years, Household
work,R/o Shivani village and Hobli,
Tarikere Taluk.
- 4 Deveerappa S/o Ramanna,
Aged about 40 years, Agriculturist,
R/o Shivani village and Hobli, Tarikere
Taluk.
- 5 Srinivasa S/o Ramanna,
Aged 36 years, Agriculturist,
R/o Shivani village and Hobli, Tarikere
Taluk.

- Purandara S/o Ramanna,
Aged 36 years, Agriculturist,
R/o Shivani village and Hobli, Tarikere
Taluk.
- 7 Somashekarappa S/o Ramanna,
Aged about 32 years, R/o Shivani village
and Hobli, Tarikere Taluk.
- 8 Chandrashekarappa S/o Ramanna,
Aged about 30 years, Agriculturist,
R/o Shivani village and Hobli, Tarikere
Taluk.
- 9 Kariyappa S/o Rudrappa, dead by Lrs,
R/o Shivani village and Hobli, Tarikere
Taluk.
- 9(a) Annappa S/o Kariyappa,
Aged about 38 years, Coolie work,
R/o Saraswathipura, Birur Town, Kadur
Taluk.
- 9(b) Ramu S/o Kariyappa,
Aged about 35 years, Coolie work,
R/o Saraswathipura, Birur Town, Kadur
Taluk.
- 10 Govindappa S/o Ramanna,
Aged about 60 years, Agriculturist,
R/o Shivani village and Hobli, Tarikere
Taluk.
- 11 Rrudrappa S/o Ramappa,
Aged 54 years, Coolie,
R/o D.H. Halappa, Badavane, Birur

Town, Kadur Taluk.

The suit filed on: 13-04-2011

Reliefs: The plaintiff prays for a judgment and decree against the defendant for the following reliefs namely:-

1. To declare that the above said plaintiff has got half share in all the suit scheule properties and also separate possession and enjoyment as per the Section 54 of C.P.C.
2. For court costs and such other reliefs.

This suit is coming on 6nd day of June - 2018 for final disposal before Sri.N.S.Raghurama., B.A.LL.B. Addl. Civil Judge & J.M.F.C., Tarikere, and in the presence of Sri. A.R. Maheswarappa, Advocate for the Plaintiff and Sri.B.K. Lohit Kumar Avocate for defendant NO. 2 to 8, Sri. B.T.Kenchappa, Advocate for Defendant No.9(a) and b, Sri. N.C.Manjunath, Advocate for Defendant No.11, Defendant No.11 Exparte, Defendant No.1 Dead.

ತೀರ್ಪನ್ನು ಉದ್ದೇಶಿಸಿದ ನಂತರ, ವಾದಿಯು ಸಲ್ಲಿಸಿರುವ ದಾವೆಯನ್ನು ಖರ್ಚು ಸಹಿತ ಭಾಗಶಃ

ಡಿಕ್ರಿ ಮಾಡಲಾಗಿದೆ

ಮುಂದುವರೆದು ಆದೇಶಿಸುವುದೇನೆಂದರೆ, ವಾದಿಯು ದಾವೆ ಅನುಸೂಚಿತ 1,2,4 ಮತ್ತು 5 ನೇ ಖಂಡಿಕೆಗಳ ಸ್ವತ್ತಿನಲ್ಲಿ ಅರ್ಧ ಹಿಸ್ಸೆಯನ್ನು ಮತ್ತು ಸಾಧ್ಯವಿರುವಂತೆಯನ್ನು ಪಡೆಯಲು ಅರ್ಹರಿರುತ್ತಾರೆ.

ಮುಂದುವರೆದು ಆದೇಶಿಸುವುದೇನೆಂದರೆ, ದಾವಾ ಅನುಸೂಚಿತ 3 ನೇ ಖಂಡಿಕೆಯ ಕುರಿತು ಯಾವುದೇ ಪರಿಹಾರ ಪಡೆಯಲು ಅರ್ಹರಲ್ಲ.

ಮುಂದುವರೆದು ಆದೇಶಿಸುವುದೇನೆಂದರೆ, ದಾವಾ ಅನುಸೂಚಿತ ಸ್ವತ್ತುಗಳ ಕುರಿತಾಗಿ ಮಧ್ಯಕಾಲಿನ ಲಾಭವನ್ನು ಪಡೆಯಲು ಅರ್ಹರಲ್ಲ.

Given under my hand and the seal of the Court, this the 06th day of June 2018.

DECREE SIGNED ON:
20-06-2018

Sd/-xx
ADDL. CIVIL JUDGE AND
J.M.F.C., TARIKERE.

Sd/-xxx
ADDL. CIVIL JUDGE AND
J.M.F.C., TARIKERE.

MEMORANDUM OF COSTS INCURRED IN THIS SUIT.

Sl. No.	Particulars	By Plaintiff	By Defendants
1	Court fee on plaint	30-00	--
2	Court fee on power	--	--
3	Court fee on I.A's	--	--
4	Court fee on process memo	144-00	--
5	Advocate fee, FC not filed	500-00	--
	Total	674-00	--

Sd/-xxxx

ADDL. CIVIL JUDGE AND
J.M.F.C., TARIKERE.

SCHEDULE

1) The land Sy.No.141/P3 and Sy.No.141/2 of Shivani Village and Hobli, Tarikere Taluk, dry land measuring 1 acre 06 guntas and 4 acres 5 guntas having common boundaries to bounded

East by : Land of Yelavappana Doddaiha,

West by : Land of Basanna,

North by : Land of Manumanna,

South by : Garden land of Gullappara Ramanna,

2) The dry land situated at Shivani Village and Hobli, Tarikere Taluk, bearing Sy.No.1, measuring 3-00 acres

East by : Land of Ramanna,

West by : Land of Hanumanthappa,

North by : Land of Lakkamma,

South by : Garden land of Siddappa,

3) The dry land situated at Shivani Kaval bearing Sy.No.153, shivani Hobli, Tarikere Taluk, measuring 3-00 acres bounded

East by : Land of channagiri Chandrappa,

West by : Land of Thimmaiah,

North by : Land of Govt, Halla,

South by : Land of Nagajja,

4) The house property situated at Shivani village and Hobli, Tarikere Taluk, bearing Asst. No.1127/1 to 3 measuring 3 ankanam (40 X 40 feet), Mangalore Tiled House,

East by : House of Eshwarappa,

West by : House of Anjanappa,
 North by : Road(Panchayath),,
 South by : panchayath Road.

5) The vacant site situated at Shivani village, Shivani Hobli,
 Tarikere Taluk, bearing Asst.No.1616, measuring 35 x 50 feet,

East by : Land of Gullamma,
 West by : House of Govindappa,
 North by : Road ,
 South by : Kariyappa's House,

Sd/-xxxx
 ADDL. CIVIL JUDGE AND
 J.M.F.C., TARIKERE.

valuation slip

That the suit scheule properties are with in this jurisdiction of this Hon'ble court, the suit is for partition and separate possession by meats and bounds in the suit schedule properties. The suit schedule properties are house and ancestral property. The market value of suit schedule properties Under 35(2) R/W7(2) of Karnataka court fee and suit valuation Act 1958.

SL. No.	Servey No.	Assessment	12 ½ Total
1	14 ½	11-32	121-20
2	141B	3-12	38-00
3	1/P84	3-00	31-50
		Total	186-70

The total amount as per the revenue assessment and one house site is valued 3000 In total 3176-70.

As per the Sec.35(2)1588-00 12 ½ times of the assessment value is lesser than 3000 only. Hence the court fee of Rs.15/- is paid and market value of the suit properties of the plaintiff share is only value below Rs.3000/- Hence court fee of Rs.15-00 is paid here with.

Sd/-xxxx

ADDL. CIVIL JUDGE AND
J.M.F.C., TARIKERE.