

IN THE COURT OF THE SENIOR CIVIL JUDGE
AND J.M.F.C., ARAKALAGUD

O.S.NO.38/2021

PLAINTIFFS : A.N.Sathyanarayana & Others

-Vs.-

DEFENDANTS : Rathnamma & Others

I S S U E S

1. Whether the plaintiffs prove their absolute ownership and possession over the suit schedule properties?
2. Whether plaintiffs proves that the registered sale deed dated 29.06.2011 in respect of Sy.No.35/6 measuring 8 guntas, sale deed dated 10.10.2011 in respect of Sy.No.35/4 measuring 7 guntas, sale deed dated 07.05.2012 in respect of Sy.No.35/5 new Sy.No.35/8 measuring 2 guntas, sale deed dated 01.04.2013 in respect of Sy.No.35/5 measuring 5 guntas and partition deed dated 31.08.2019 in respect of Sy.No.35/4 measuring 7 guntas, Sy.No.35/5 measuring 5 guntas and Sy.No.35/6 measuring 8 guntas does not binds the plaintiff?
3. Whether plaintiffs prove the alleged interference caused by the defendants with the possession of the plaintiff over the suit schedule properties?
4. Whether plaintiff proves the genealogy pleaded in the plaint?
5. Whether the defendants proves that the suit schedule property originally belongs one Mylachari S/o Kalachari and he was mortgaged the suit property in favour of Nallura S/o Maliga on

06.12.2021 under register mortgage deed. The said Myalachari was passed away about 8 years back and the said mortgage deeds not redeemed by Mylachari as such, the suit properties right and possession continued with Nallura S/o Maliga?

6. Whether defendants proves that said Nallura S/o Maliga was died about 17 years back by leaving two sons by name Sundraiah and Sannadaiah. The said Sundraiah had children had by name Nalluraiah and Dyavanna, the said Sannadaiah had children had by name Nalluraiah, Maridyavaiah, Dyavegowda, Kullaiah and Javarayi and all of them no more and said Nalluraiah had children by name Nalluraiah, Krishna, Sriranga and they are no more and the defendant No.15 to 18 are the legal heirs of Nalluraiah, the said Krishna is the 19th defendant and defendant No.20 and 21 are children of Dyavanna?
7. Whether defendants prove alleged partition as pleaded in last para of their written statement and the sale deeds executed by the defendant No.1 to 21 in favour of defendants No.22 and 23 are lawful one and the plaintiffs have not right to question the same?
8. Whether plaintiffs are entitled to reliefs as sought for in the suit?
9. What order or decree ?

Date: 14.07.2023

(NAGESH MURTHY B.K.)
SENIOR CIVIL JUDGE & JMFC,
ARAKALAGUD