

IN THE COURT OF THE SENIOR CIVIL JUDGE AND

JMFC., BYADGI.

PRESENT:

SHRI. IBRAHIM M. MUJAWAR.

B.A.,L.L.B.(Spl)

**Senior Civil Judge & JMFC,
Byadgi.**

Dated on this 23rd day of September 2017

ORIGINAL SUIT NO.90 of 2013

- PLAINTIFFS: 1) Gangadhar S/o Peekappa Lamani
@ Banakar,
Age: 40 years, Occ: Agril &
Employee
R/o: Shidenur, Tq: Byadgi,
Dist: Haveri.
- 2) Somashekhar @ Somappa S/o
Peekappa Lamani @ Banakar,
Age: 35 years, Occ: Agril.,
R/o: Shidenur, Tq: Byadgi,
Dist: Haveri.

(P-1 & 2 are repled. by Sri. M.H.K. advocate)

VS.

- DEFENDANTS: 1) Demappa @ Dyamappa S/o
Peerappa Lamani,
Age: Major Occ: Agril.,
R/o: Sevanagar (Kalledevara
Tanda) Tq: Byadgi, Dist: Haveri.

- 2) Shankrappa S/o Demappa @
Dyamappa Lamani,
Age: Major, Occ: Agril.,
R/o: Sevanagar (Kalledevara
Tanda) Tq: Byadgi, Dist: Haveri.
- 3) Puttappa S/o Demappa @
Dyamappa Lamani,
Age: Major, Occ: Agril.,
R/o: Sevanagar (Kalledevara
Tanda) Tq: Byadgi, Dist: Haveri.

(D-1 to 3 are reptd. by Sri. M.K.K. advocate)

Date of institution of the suit	28-06-2013
Nature of the suit	Suit for Declaration and Injunction.
Date of commencement of Recording of evidence	10-09-2014
Date on which the judgment was pronounced	23-09-2017
Total Duration	Year/Months/Days
	04 2 25

(Ibrahim M. Mujawar)
Senior Civil Judge & JMFC.,
Byadgi.

JUDGMENT

The plaintiffs have filed the present suit against the defendants for the relief of declaration that they are owners of suit schedule properties by virtue of legal heir ship of deceased Ghemappa Ramappa Lamani.

1. The brief facts of the plaintiffs case are as follows;

The landed properties in 1) Sy. No. 139/1D measuring 5 acre 16 gunta, 2) Sy. No. 145/4A measuring 3 acre 12 gunta, 3) Sy. No. 145/4B measuring 3 acre 12 guntas all are situated at Sevanagar village of Byadgi taluk are suit properties.

It is stated that one Ramappa Lamani was propositus to the plaintiffs and defendants. The said propositus has 4 sons by name 1) Babanna 2) Somappa, 3) Ghemappa 4) Peerappa. The third son of propositus namely Ghemappa has wife by name Sitavva and three daughters namely 1) Dhyamavva W/o Tavareppa Lamani, 2) Hemavva @ Tulachavva W/o Peekappa @ Banakar, 3) Hanumavva W/o Lokesh Lamani. The second daughter of Ghemappa namely Hanumavva @ Tulachavva has died on 15-10-1980 leaving behind her husband Peekappa S/o Hanumappa Lamani and plaintiffs as her nearest and class one legal heirs. The first and third daughters namely Hanumavva and Dhyamavva have died

issueless. The wife of Ghemappa namely Sitavva has died on 16-08-1990. The Ghemappa Lamani has died on 18-08-1991 leaving the plaintiffs as his only legal heirs.

It is further stated that the forth son of propositus namely Peerappa has died leaving his children namely 1) Chikkappa 2) Demappa @ Dyamappa (D-1) 3) Devappa 4) Irappa 5) Geravva as his legal heirs. The second son of Peerappa, by name Demappa @ Dyamappa is first defendant herein and defendant No.2 and 3 are sons of defendant No.1. Thus, the plaintiffs and defendants are relatives to one another.

It is further stated that the suit schedule properties have come to the maternal grand father of the plaintiffs namely Ghemappa Ramappa Lamani through partition held in the year 1987 among himself and sons of his brothers. Apart from these suit properties, 1/4th share in land in Sy. No. 130/11 measuring 1 acre 20 gunta, in Sy. No. 137/2 measuring 7 acre 36 guntas have come to the said Ghemappa in said partitions. In this regard, MR. No. 4390 of Sevanagara village has been certified on 29-01-1988. Thereafter, the Assistant Director of land records, as per proceeding No. BDG PHS 253/1988-89, has rectified the phort hissa. The Ghemappa Ramappa Lamani prior to the 1987, was having the possession of the suit properties and cultivation thereof

along with the plaintiffs, and died on 18-08-1991. After his death his legal heirs the plaintiffs have been in possession of the suit properties by virtue of legal heir ship.

It is further stated that when the facts stood thus, the defendant No.1 by taking disadvantages of non getting mutated the names of plaintiffs in ROR of suit properties after death of the Ghemappa, the defendant No.1 on false averments contending that he is only son of deceased Ghemappa, has given application to the Revenue Department behind back of the plaintiffs and got mutated his name in ROR of suit properties on 10-05-2011.

It is further stated that the defendant No.1 behind back of the plaintiffs, by pretending like oral partition was held between himself and his sons, and by giving Varadi to the Revenue Department, has got entered the names of his sons who are defendant No.2 and 3 in the RTC of suit properties. Though the defendants are not related to the Ghemappa, have got entered their names in ROR of suit properties in order to deprive the rights of the plaintiffs on suit properties and swallow the same.

It is further stated that the fact of getting mutated the name of the defendants in ROR of suit properties, came to know the plaintiffs in the year 2013. After coming to know the said fact, the plaintiffs inquired the defendants as to

getting changed mutation of suit properties in their name. But the defendants did not care the plaintiffs. Apart from this, the defendants taking advantages of entry of their names in ROR of suit properties, started to interfere with peaceful possession and enjoyment of suit properties by the plaintiffs. Therefore, the plaintiffs were constrained to institute this suit for getting relief of declaration of their title on suit properties by virtue of legal heir ship to the deceased Ghemappa, and for consequential relief of injunction restraining the defendants from interfering with peaceful possession and enjoyment of suit properties by the plaintiffs. Hence, prayed to decree the suit with costs.

2. The defendants on receipt of suit summons, have appeared to the court through advocate and filed their joint written statement opposing the suit of the plaintiffs. The brief facts of the written statements are as follows;

The suit of the plaintiffs is quite false and not maintainable. The descriptions of suit properties given by the plaintiffs is not so clear. The genealogy furnished by the plaintiffs is incomplete and incorrect. The plaintiffs with bad intention in cause title of plaint have shown the father name of the defendant No.1 as Peerappa. All the contentions pleaded and allegations made by the plaintiffs in plaint are false and denied by the defendants. The plaintiffs never have

been in possession of the suit properties. There is no such context to the plaintiffs to have possession over the suit properties. Plaintiffs have no cause of action to the suit. The value of the suit properties is not properly calculated and to save court fees, the suit is valued at only Rs. 1,000/-. The said valuation is incorrect. Though, the value of the suit properties is shown in plaint as Rs. 15,00,000/-, no court fees is paid thereon. The suit properties and properties of Sy. No. 130/11 and 137/2 have been in ownership and possession of the defendants.

It is further stated that even from the life time of the Ghemappa, the defendant No.1 has been cultivating the suit properties and other non suit properties along with the Ghemappa. After the death of Ghemappa, the defendant No.1 with notice to the plaintiffs and other villagers, has been enjoying the suit properties without any interruption of anybody, continuously and till today.

It is further stated that, in election ID card, ration card, and in other public documents, the name of the defendant No.1 is recorded as Dyamappa @ Demappa S/o Ghemappa Lamani. Apart from this, the Sevanagar villagers recognize and call the defendant No.1 as Dhyamappa @ Demappa S/o Ghemappa Lamani. This fact is known even to the plaintiffs. However, the plaintiffs in order to harass the defendants have

filed this suit on false contentions.

It is further stated that one of daughter of Ghemappa by name Dyamavva has died leaving behind her husband Thavareppa and son Irappa as her legal heirs. Likewise, another daughter of Ghemappa by name Hanumavva has died leaving her husband Lokesh and children Rajappa and Chandrappa as her legal heirs. The above stated legal heirs of Dyamavva and Hanumavva and all legal heirs of propositus Ramappa are necessary parties to the suit. But, they are not made as parties to the suit. Hence, the suit of the plaintiffs is hit by the principle of non-joinder of necessary parties.

It is further stated that, though there is reference in the plaint about the properties of Sy. No. 130/11 and 137/2, those properties are not included in the suit. On this account also, the suit is not maintainable. Further as the plaintiffs have contended in plaint that the propositus Ramappa had joint ownership on lands in Sy. No. 130/11 and 137/2, all the owners thereof are necessary parties to the suit. As those joint owners are not made parties, the suit is not maintainable.

It is further stated that as still the MR. No. 33/2010-11 and 58/2011-12 have not been challenged by the plaintiffs, those entries under above MR are binding on the plaintiffs.

It is further stated that the plaintiffs on instigation of

the persons who are not in good terms with the defendants, have filed this suit on false averments so that the defendants shall be harassed. Hence, the defendants pray to dismiss the suit with compensatory costs.

3. Based upon the both side pleadings the following issues were framed by my predecessors in office.

ISSUES

1. Whether plaintiffs are entitled for the relief of declaration?
2. Whether defendants No.1 to 3 prove that they are owners of 'A' schedule property and are in possession and enjoyment of the said properties?
3. Whether plaintiffs prove that they are in peaceful possession and enjoyment of the suit schedule-A property?
4. Whether plaintiffs prove the alleged interference from the defendants?
5. Whether plaintiffs are entitled for the relief of permanent injunction?
6. Whether defendants prove that suit is bad for non-joinder of necessary parties?
7. What order or decree?

4. The plaintiffs in order to substantiate their case have got examined the plaintiff No.2 as PW-1 and another witness as PW-2. They got marked total 68 documents as Ex.P-1 to 68.

5. The defendants in order to prove their case, have got examined the defendant No.3 as DW-1 and two other witnesses as DW-2 and 3. They got marked 29 documents as Ex.D-1 to 29.

6. On conclusion of examination of witnesses from both side parties, an arguments were heard from both side advocates, and entire records was perused.

7. On the basis of available materials on the records and arguments advanced by the both side counsels, my findings on above said issues are as under;

Issue No.1	:	In the affirmative.
Issue No.2	:	In the negative.
Issue No.3	:	In the affirmative.
Issue No.4	:	In the affirmative.
Issue No.5	:	In the affirmative.
Issue No.6	:	In the negative.
Issue No.7	:	As per final order, for the following reasons;

REASONS

8. ISSUE NO.1 TO 3:- Since issue No.1 to 3 are being inter linked to each other, to avoid repetition of discussion, I

took them together for discussion.

9. The plaintiffs in order to prove their case have got examined the Plaintiff No.2 as PW-1 and another witness as PW-2. They also have got marked documents as Ex.P-1 to 68.

10. Ex.P-1 to 12 are ROR of suit schedule properties. Ex.P-13 to 16 are MR in respect of suit properties. Ex.P-17 is death certificate of Ghemappa Lamani. Ex.P-18 is Genealogy tree of Peekappa Banakar @ Lamani issued by village accountant. Ex.P-19 is MR No. 33/2010-11. Ex.P-20 is notice in form No. 21 U/R 65 issued by village accountant. Ex.P-21 is also MR. Ex. P-22 is acknowledgment issued by revenue department as to receipt of application from defendant No.1 for mutation. Ex.P-23 is application said to have been given by defendant No.1 to revenue department for mutations. Ex.P-24 is genealogy tree of Ghemappa. Ex.P-25 and 26 are MR No. H 58/11-12. Ex.P-27 to 39 are also ROR of suit properties. Ex. P-40 is notice U/R. 65 in form No. 21. Ex.P-41 is MR No. 33/2011. Ex.P-42 is revenue acknowledgment. Ex.P-43 is original application submitted by defendant No.1 to Tahasildar for mutation of suit properties. Ex.P-44 is death certificate of Ghemappa. Ex.P-45 is death certificate of Sitamma. Ex.P-46 is survival certificate of deceased Ghemappa. Ex.P-47 to 56 are also ROR. Ex.P-57 is

genealogy tree of deceased Ghemappa. Ex.P-58 and 59 are MR. Ex.P-60 and 61 are application and Apsath Vatni Patra given to Tahasildar for mutation on account of partition. Ex.P-62 is map of suit properties. Ex.P-63 is Tax paid receipt. Ex.P-64 & 65 are MRs. Ex.P-66 is application stated to have been given by defendant No.1 on account of will said to have been executed by Ghemappa in respect of suit properties. Ex.P-67 is copy of will said to have been executed by Ghemappa in the name of defendant No.1. Ex.P-68 is also death certificate of Ghemappa Lamani.

11. PW-1 is plaintiff No.2. He has filed his affidavit in lieu of his chief examination. The PW-1 has reiterated all the contents of the plaint in his affidavit.

12. PW-2 is resident of Kakol village and he is independent witness. He deposed as to plaintiffs and their genealogy and some other family members of the plaintiffs.

13. The defendants have got marked 29 documents as Ex.D-1 to 29. Ex.D-1 is Genealogy tree of Manappa Lamani. Ex.D-2 is also genealogy tree of Lokappa Lamani. Ex.D-3 to 10 are ROR of suit properties. Ex.D-11 to 13 are MRs. Ex.D-14 to 16 are Khata Extracts. Ex.D-17 is school certificate of Rajappa. Ex.D-18 is school certificate of Chandrappa. Ex.D-19 is school certificate of Lokappa. Ex.D-20 is Tahasildar's

order. Ex.D-21 to 26 are Tax paid receipts. Ex.D-27 to 29 are certificates given by Village Accountant in the name of defendant No.1 to 3 as to no due of any tax etc.

14. DW-1 is defendant No-3. He filed his affidavit in lieu of his chief examination. In his affidavit, the contents of written statements have been reiterated.

15. DW-2 and 3 are residents of Sevanagar. They have filed their affidavits in lieu of chief examination. They have deposed that the defendant No.1 is son of Ghemappa, and the defendant No.1 has been cultivating the suit properties before and after death of Ghemappa on inheritance, and the daughters of Ghemappa have left some their legal heirs, and the defendants have possession even on other properties of Ghemappa. They further deposed that the plaintiffs never have been in possession of the suit properties.

16. Now at this stage, it is pertinent to know the undisputed facts between the parties. The undisputed facts are as stated hereunder. It is undisputed that the Ghemappa was the original owner in possession of suit properties. It is also not in dispute that the said Ghemappa had other two daughters namely 1) Dyamavva 2) Hanumavva. It is also not in dispute that one Peerappa was own brother of Ghemappa. It is also not in dispute that the said Ghemappa has died in the

year 1991. It is also not in dispute that in the year 2011 the defendants have got entered their names in ROR of suit properties. It is also not in dispute that some revenue proceedings have been taken place between the plaintiffs and defendants. It is also not in dispute that the both plaintiffs are brothers to each other. It is also not in dispute that the defendant No.1 is father of the defendant No.2 and 3.

17. The main disputed facts are that according to the plaintiffs, the Ghemappa had three daughters namely 1) Dyamavva 2) Hemavva and 3) Hanumavva, and the said Ghemappa had no sons, and the first and third daughters of the Ghemappa have died issue less, and the second daughter of the Ghemappa namely Hemavva @ Tulachavva has died leaving behind the plaintiffs as her sons and legal heirs, and therefore the plaintiffs are owners of suit properties by inheritance as close legal heirs of the Ghemappa, and the defendant No.1 is son of Peerappa who is own brother of Ghemappa, and the defendant No.1 has no right of manner over the suit properties.

18. According to the defendants, the Ghemappa had two daughters namely 1) Dyamavva and 2) Hanumavva, and one son who is defendant No.1 herein, and mother of the plaintiff is not daughter of the Ghemappa and defendant

No.1 is being only son to the Ghemappa, has become owner by inheritance to the suit properties.

19. In this case, first of all, the plaintiffs have to prove that their mother Hemavva @ Tulachavva is daughter of Ghemappa, and the defendant No.1 is son of Peerappa, and not of Ghemappa.

20. Though the defendants have denied their total relationship with the plaintiffs in their written statement, the DW-1 who is defendant No.3 has admitted in his cross examination of evidence dated 09-06-2017 in second para at page No.8 as follows ;

“ನಮ್ಮ ಮತ್ತು ವಾದಿಯರ ಘರಾಣೆದ ಮೂಲ ಪುರುಷ ರಾಮಪ್ಪ ಲಮಾಣಿ ಅಂದರೆ ಸರಿ.” (It is true that one Ramappa Lamani is propositus to us and the plaintiffs.)

21. On going through the above admission of the DW-1, it clearly appears that the DW-1 is admitting at least that the plaintiffs and defendants are from same propositus i.e., Sri. Ramappa Lamani. It is undisputed fact that the Ghemappa is son of said propositus Ramappa Lamani. It is also undisputed fact that the plaintiffs are sons of Hemavva @ Tulachavva.

22. Since the DW-1 has admitted in his evidence that

themselves and plaintiffs have a common propositus, the defendants had to plead in their written statement that whose daughter the mother of the plaintiffs is. But they have not pleaded either in written statement or in their evidence as to that whose daughter the mother of the plaintiff is. Hence, it appears that the defendants just denied the fact that the mother of the plaintiffs is not daughter of the Ghemappa. Mere, denial is not sufficient. Defendants had to plead specifically that the mother of the plaintiffs is not daughter of the Ghemappa and she is daughter of a particular person etc., However, the plaintiff in order to prove that their mother Hemavva @ Tulachavva is daughter of the Ghemappa, have relied upon the oral evidence of the PW-1 and PW-2, and documentary evidence of Ex.P-24 and 57.

23. Ex.P-24 and 57 documents are one and the same. Ex.P-24 and 57 are genealogy tree of deceased Ghemappa Lamani issued by the village accountant. These documents have been issued on 22-03-2010. These Ex.P-24 and 57 contained signature of the defendant No.2 Shankrappa. The DW-1 who is defendant No.3 has clearly admitted in his cross examination of evidence dated 04-04-2017 at page No. 6 in line No. 7 as follows;

“ನಿ.ಪಿ-24 ರ ದಾಖಲೆಯು ಎಡಭಾಗದ ಕೆಳ ಭಾಗದಲ್ಲಿ ಶಂಕ್ರಪ್ಪ ಲಮಾಣಿ ಎಂದು ಬರೆದು ಸಹಿ ಮಾಡಲ್ಪಟ್ಟಿದ್ದು ನಮ್ಮ ಅಣ್ಣನ ಸಹಿ ಎಂದರೆ ಸರಿ”. This

admission of the DW-1 clearly goes to show that his brother Shankrappa has signed on the document of Ex.P-24. The said brother Shankrappa is none other than the defendant No.2. Hence, it clearly appears that the defendant No.2 Shankrappa has signed the Ex.P-24.

24. In Ex.P-24 and Ex.P-57 it is clearly stated that the Tulachavva W/o Peekappa Lamani is daughter of Ghemappa Lamani. The Said Tulachavva @ Hemavva is said to be mother of the plaintiffs. As per plaintiffs case also the name of the husband of the said Tulachavva @ Hemavva is Peekappa, and Ex.P-24 and 57 also clearly reveal that the name of husband of the Tulachavva is Peekappa. The Tulachavva @ Hemavva W/o Peekappa whose name is shown in Ex.P-24 and 57 seems to be mother of the plaintiffs through whose the plaintiffs are claiming right on suit properties.

25. The plaintiffs specifically contended that the Tulachavva and Hemavva the both names are one and same and belongs to their mother. But nowhere the defendants have pleaded that the Ghemappa had a daughter namely Tulachavva W/o Peekappa Lamani. But the name Tulachavva is clearly appeared in Ex.P-24 and 57.

26. One of defendants i.e., defendant No.3 has clearly

admitted in his evidence that the signature appeared in Ex.P-24 is belongs to his brother shankrappa who is defendant No.2. The defendant No.2 Shankrappa has not got examined himself as witness in the case. No explanations have been given by the defendants that why the name Tulachavva W/o Peekappa Lamani is shown in Ex.P-24 as daughter of Ghemappa. When there is no explanation from the defendants as to that why the name Tulachavva is mentioned in Ex.P-24, and why the defendant No.2 has put his signature on Ex.P-24, it shall be presumed that since the Tulachavva W/o Peekappa Lamani is being daughter of Ghemappa, her name is shown in Ex.P-24 as daughter. It further shall be presumed that the defendant No.2 has put his signature on Ex.P-24 admitting the contents of the same. Hence, I hold that the defendant No.2 Shankrappa has put his signature on Ex.P-24 admitting the contents of the said document. The said Ex.P-24 clearly reveals that the Tulachavva W/o Peekappa Lamani is daughter of the Ghemappa.

27. The PW-1 who is plaintiff No.2 has clearly deposed in his evidence that the Hemavva @ Tulachavva W/o Peekappa Lamani is daughter of the Ghemappa. Further the PW-2 also has deposed that one Sitamma is mother of Hanumavva, and Hanumavva had two sister's, and her elder sister's husband's name is Peekappa, and her elder sister's

sons are plaintiffs. This evidence of PW-2 is not specifically denied by the defendants. The defendants have clearly admitted that the Ghemappa had daughters namely Dyamavva and Hanumavva. The PW-2 has deposed about another daughter of the Ghemappa and her sons i.e., the plaintiffs. Since, the defendants have not denied specifically the evidence of the PW-2, it appears that impliedly they have admitted that apart from the Dyamavva and Hanumavva, the Ghemappa had another daughter namely Tulachavva @ Hemavva who is mother of the plaintiffs.

28. Since, the DW-1 has admitted that themselves and plaintiffs have a common propositus Ramappa Lamani, and since the evidence of PW-2 is not specifically denied by the defendants, and since the defendant No.2 has put his signature admitting the document of Ex.P-24 and 57, and since the Ex.P-24 and 57 clearly reveal that the Tulachavva W/o Peekappa Lamani is daughter of Ghemappa Lamani, and since the defendants have not specifically pleaded in their written statement that whose daughter the said Tulachavva @ Hemavva W/o Peekappa Lamani is, it clearly appears that the mother of the plaintiffs namely Tulachavva @ Hemavva is daughter of the Ghemappa. To rebut or disbelieve the plaintiffs contention as to that the Tulachavva W/o Peekappa Lamani is daughter of Ghemappa, there is no material and

believable evidence from the defendants. The evidence of DW-1 to 3 would not rebut the evidence of the plaintiffs. **Hence, on the basis of available evidence on record, I hold that the plaintiffs have proved that their mother Tulachavva @ Hemavva W/o Peekappa Lamani is daughter of the Ghemappa Ramappa Lamani.**

29. The plaintiffs have contended in their plaint that the defendant No.1 is not son of the Ghemappa, and he is son of the Peerappa who is own brother of the Ghemappa.

30. The defendants have not pleaded specifically in written statement that the defendant No.1 is son of the Ghemappa. But, they have pleaded in their written statement that in election ID card and ration card the name of the defendant No.1 has been shown as Dyamappa @ Demappa S/o Ghemappa Lamani, and villagers of Sevanagar locality use to address and recognize the defendant No.1 as Dyamappa @ Demappa S/o Ghemappa Lamani. That if the plea as set out by the defendants in their written statement is seen, it clearly appears that nowhere in written statement the defendants have specifically and firmly contended that the defendant No.1 is son of Ghemappa. Even in affidavit of Chief examination of defendant No.1 also, it is nowhere stated specifically that the defendant No.1 is son of Ghemappa. The new fact that the defendant No.1 is son of

Ghemappa has brought in light in evidence of DW-2 and 3. In affidavits of evidence of DW-2 and 3, it is stated that the defendant No.1 is son of Ghemappa. This fact is improvement made in evidence without pleadings by the defendants. However, the plaintiffs in order to prove that the defendant No.1 is not son of the Ghemappa Lamani, and he is son of the Peerappa Lamani, have relied upon the documents of Ex.P-1,13, 15, 27, 33, 34, 49, 52, 58, 59, 60, 61, 66 and 67.

31. Ex.P-1 is ROR of suit schedule-1 property for the year 1987-88. In this ROR, the name of defendant No.1 is shown as Demappa S/o Peerappa Lamani. Ex.P-13 is MR No. 2064 of the year 1959 in respect of suit properties and other properties. This Ex.P-13 is effected on account of death of Babanna S/o Ramappa Lamani for inheritance. In this Ex.P-13 also, it is stated that the Peerappa Lamani has sons namely 1) Chikkappa 2) Dyamappa 3) Devappa and 4) Veerappa. In this Ex.P-13 it is stated that the person namely Dyamappa is son of the Peerappa. Ex.P-15 is also ME No. 4390 in respect of suit properties and other properties dated 17-12-1987 effected on account of partition held among the Ghemappa and his brother's sons etc. In this Ex.P-15 also, the person Demappa is shown as son of Peerappa. Ex.P-27 and 33 are ROR of lands of Ghemappa Lamani for the year 1987-88. Wherein the defendant No.1 is described as son of

Peerappa. Ex.P-34 is ROR of suit property No. 1 for the year 2009 wherein also the defendant No.1 is described as son of the Peerappa. Ex.P-49 is also ROR of suit schedule property No.1 for the year 2010 wherein also the defendant No.1 is described as son of the Peerappa. Ex.P-52 is also ROR of suit property No.2 and 3 for the year 2005 wherein the defendant No.1 is described as son of Peerappa. Ex.P-58 and 59 are ME No. 23 of the year 2004-05, wherein also the defendant No.1 is described as son of the Peerappa. Ex.P-60 is application of one Subbappa Lamani submitted on 16-06-2005 to the Tahasildar requesting to effect mutation in suit property and other properties on the basis of partition. In this Ex.P-60 also, the defendant No.1 is described as son of the Peerappa Lamani. Ex.P-61 is oral partition said to have effected among the defendant No.1 and others. In this document also the defendant No.1 is described as son of the Peerappa. Ex.P-66 is application dated 01-06-2005 which is stated to have been given by the defendant No.1 to Tahasildar for mutation of suit properties. In this Ex.P-66 it is addressed by the defendant No.1 that he is son of brother of Ghemappa. Ex.P-67 is copy of will said to have been executed by the Ghemappa Lamani in favour of defendant No.1. In this document it is stated that the defendant No.1 is son of brother of the Ghemappa.

32. The defendants nowhere have contended that the

person namely as Dyamappa @ Demappa Lamani S/o Peerappa Lamani in Ex.P-1, 13, 15, 27, 33, 34, 49, 52, 58, 59, 60, 61, 66 and 67 is not the defendant No.1. It is also undisputed that the defendant No.1 is called by name Dyamappa @ Demappa. The defendants nowhere have explained any reasons that why the defendant No.1 is described in those documents as son of the Peerappa. Further there is no explanation that the above documents are challenged by the defendants. The above documents were secured from the custody of public department. Those documents have nature of public documents. Hence, those documents are reliable and acceptable in evidence. The said document of Ex.P-1,13,15, 27,33, 34, 49, 52, 58, 59 60, 61, 66 and 67 clearly go to show that the defendant No.1 is son of the Peerappa and not of Ghemappa.

33. Further the evidence of PW-1 is also in support of the above documents. The evidence of PW-1 and above documents are corroborative to each other. Hence, by the evidence of PW-1 and above described documents, it would be proved that the defendant No.1 is not son of Ghemappa.

34. The defendants in order to prove that the defendant No.1 is son of Ghemappa, have relied upon the documents of Ex.D-3, 7, 11, 12, 14, 21 and 23. Ex.D-3 is ROR of suit property for the year 2011. Wherein the defendant No.1 is

described by son of Ghemappa. Ex.D-7 is also ROR of suit property for the year 2016 wherein also the defendant No.1 is described as son of Ghemappa. Ex.D-11 is ME No. 33/2010-11 in relation to suit properties, wherein the defendant No.1 is described as son of the Ghemappa. Ex.D-12 is also ME No. H 58/2011-12 in respect of suit properties wherein the defendant No.1 is described as son of Ghemappa. Ex.D-14 is Khata extract of defendant No.1 wherein he is described as son of Ghemappa. Ex.D-21 is tax paid receipt by the defendant No.1 for the year 2011 wherein he is described as son of Ghemappa. Ex.D-23 and 24 are also tax paid receipt for the year 2014 wherein defendant No.1 is described as son of Ghemappa.

35. On going through the Ex.D-3, 7, 11, 14, 21, 23, and 24, it appears that these all documents are of recent period's documents. Only on these documents, the defendant No.1 can not claim to be son of Ghemappa. Moreover, the entry of name of defendant No.1 in revenue records of suit property is challenged by the plaintiffs.

36. The defendant No.1 has not pleaded in his written statement specifically that he is son of the Ghemappa. He just has pleaded that in all Government documents his name is entered as Dyamappa S/o Ghemappa Lamani. Mere entry in documents as son of Ghemappa will not make the defendant

No.1 to be son of the Ghemappa. The defendant No.1 has to specifically plead in his written statement to be son of the Ghemappa and prove the said fact. But the defendant No.1 has failed to plead the said fact and to prove the same.

37. Since the defendant No.1 has not specifically pleaded in his written statement to be son of the Ghemappa, he can not be permitted to prove the fact which is not pleaded in his pleadings. Hence, the evidence produced by the defendants to prove that the defendant No.1 is son of the Ghemappa, without pleadings can not be looked into. Even if such evidence is considered, then also, the fact that the defendant No.1 is son of the Ghemappa will not be proved.

38. The defendants have contended in their written statement that the name of the defendant No.1 is shown as Dyamappa S/o Ghemappa Lamani in Voter ID card, Ration card etc. But no such documents have been produced by the defendants. Though claimed to have such documents, not produced them without any explanations. Apparently, it appears that since the defendants do not have such documents, they have not produced such documents to the court. Hence, it appears that the defendants do not have such any documents to show that the defendant No.1 is son of the Ghemappa Lamani.

39. Further the defendants have not pleaded that the defendant No.1 has not studied school. If the defendant No.1 was son of the Ghemappa, then his school certificates could have been produced. Since, such school documents have not been produced, it appears that as the defendant No.1 was not being son of the Ghemappa and as in his school documents his father's name has not been shown as Ghemappa such school records have not been produced.

40. Here in this case the defendant No.1 is father of the defendant No.2 and 3. The defendant No.2 and 3 are claiming right through the defendant No.1. The defendant No.1 would be competent to give evidence as to that whose son he is. But the defendant No.1 has not got examined as witness in this case. The reason given by the defendants for non examination of defendant No.1 as witness is that the defendant No.1 is old aged and he is suffering from paralysis disease. But no document have been produced to show that the defendant No. 1 is suffering from paralysis. The DW-3 has deposed in his evidence that the defendant No.1 is now healthy. The defendants nowhere contended that the defendant No.1 is unable to speak and give evidence. Hence, it appears that the defendant No.1 is able to speak and give evidence. The defendant No.2 and 3 could have got appointed a commissioner to get recorded evidence of the defendant

No.1. But no such attempt is made by the defendants. It appears that the defendant No.2 and 3 are not interested to get examined the defendant No.1 as witness though he is competent to depose about his father. Hence, this fact also goes against the defendants.

41. The DW-1 who is defendant No.3 in his cross examination dated 09-06-2017 at page No. 10 in para No. 2 at line No. 6 has admitted as follows;

“ನಮ್ಮ ತಂದೆ ಸನ್ 2005 ರಲ್ಲಿ ದಾವಾ 1 ನೇ ಆಸ್ತಿ ಸರ್ವೆ ನಂ. 139/1 ಡ ಮತ್ತು 2 ನೇ ಆಸ್ತಿ 145/4 ಅ ಗಳ ಬಗ್ಗೆ ತನ್ನ ಹೆಸರಿಗೆ ಹಕ್ಕು ಬದಲಾವಣೆ ಮಾಡಲು ಕಂದಾಯ ಇಲಾಖೆಗೆ ಅರ್ಜಿ ಕೊಟ್ಟಿದ್ದನು ಅಂದರೆ ಸರಿ. ನಮ್ಮ ತಂದೆ ಸದರಿ ವರದಿಯನ್ನು ಮೃತ್ಯುಪತ್ರದ ಆಧಾರದಲ್ಲಿ ಹಕ್ಕು ಬದಲಾವಣೆ ಮಾಡಲು ಕೊಟ್ಟಿದ್ದರು ಅಂದರೆ ಸರಿ. ನಮ್ಮ ತಂದೆ ಮೃತ್ಯುಪತ್ರದ ಮೇರೆಗೆ ನೀಡಿದ ವರದಿಯ ಪ್ರಕಾರ ಎಂ.ಆರ್. 22 ಆಗಿರುತ್ತದೆ ಅಂದರೆ ಸಾಕ್ಷಿ ತಮಗೆ ಓದಲು ಬರುವುದಿಲ್ಲವಾದ್ದರಿಂದ ಅದು ಗೊತ್ತಾಗುವುದಿಲ್ಲ ಎಂದು ಹೇಳಿರುತ್ತಾರೆ”

42. If the above said admissions of DW-1 are seen, it would be proved that the defendant No.1 had given application to Tahasildar for mutation of suit properties in his name on the basis of will.

43. The plaintiffs have contended that the application given by the defendant No.1 to Tahasildar for mutation in the year 2005 along with will are Ex.P-66 and 67.

44. Ex.P-66 and 67 documents have been called for

from Tahasildar office of Byadgi. Ex.P-66 is application dated 01-06-2005 said to have been given by the defendant No.1 to the Tahasildar requesting for mutation his name in suit properties. Likewise, Ex.P-67 is copy of will dated 14-02-1991, said to have been executed by the Ghemappa in favour of the defendant No.1.

45. The defendants have not denied that the Ex.P-66 and 67 are not the application and will which were given in the year 2005 by the defendant No.1 to the Tahasildar office for mutation. Hence, it appears that the said Ex.P-66 and 67 are the application and will which have been given by the defendant No.1 for mutation of his name in revenue records of suit property.

46. In Ex.P-66 which is said to be application given by the defendant No.1 to the Tahasildar, it is recited as that the Ghemappa Lamani is elder uncle of the defendant No.1. Likewise, in Ex.P-67 which is will executed by the Ghemappa, it is recited that the defendant No.1 is son of the brother of the Ghemappa. By these Ex.P-66 and 67 documents it clearly reveals that the defendant No.1 is not son of the Ghemappa Lamani. These documents reveal that the defendant No.1 is son of the Peerappa Lamani who is brother of the Ghemappa.

47. The DW-1 in his cross examination has further admitted as under;

“ಸನ್ 2005 ನೇ ಇಸ್ವಿಯಲ್ಲಿ ಸುಬ್ಬಪ್ಪ ತಂದೆ ಪೀರಪ್ಪ ಲಮಾಣಿ, ಮಲ್ಲಪ್ಪ ತಂದೆ ಚಿಕ್ಕಪ್ಪ ಲಮಾಣಿ, ದೇವಪ್ಪ ತಂದೆ ಪೀರಪ್ಪ ಲಮಾಣಿ, ದ್ಯಾಮಪ್ಪ ತಂದೆ ಪೀರಪ್ಪ ಲಮಾಣಿ, ಈರಪ್ಪ ತಂದೆ ಪೀರಪ್ಪ ಲಮಾಣಿ, ಇವರೆಲ್ಲರೂ ಸೇರಿಕೊಂಡು ಸೇವಾ ನಗರ ಗ್ರಾಮದ ಸ.ನಂ. 139/1ಡ, 145/3 ನೇದ್ದರ ಆಸ್ತಿಗಳ ಕುರಿತು ಆಪ್ನಾತ ವಾಟ್ನಿ ಮಾಡಿಕೊಂಡು ಖಾತೆ ಬದಲಾವಣೆ ಮಾಡಿಕೊಂಡಿರುತ್ತಾರೆ ಅಂದರೆ ನಿಜ. ಸಾಕ್ಷಿ ಸ್ವಇಚ್ಛೆಯಿಂದ ಸದರಿ ವ್ಯವಹರಣೆಯಲ್ಲಿ ದ್ಯಾಮಪ್ಪ ಇರುವುದಿಲ್ಲ ಎಂದು ಹೇಳಿರುತ್ತಾರೆ”

48. On going through the above admission of the DW-1, it clearly comes to know that in the year 2005 the above named persons have got partitioned the above said survey number's properties and got mutated their names in ROR of the said properties.

49. It is contention of the plaintiffs that the Ex.P-60 and 61 are application and Apsath Vatni Patra given to the Tahaslidar dated 16-06-2005 for mutation on the basis of oral partition.

50. On going through the Ex.P-60 and 61, it appears that wherein it is stated that 1) Devappa and 2) Dyamappa both are S/o Peerappa Lamani. The Ex.P-60 and 61 clearly reveals that the name of the father of the defendant No.1 is Peerappa and not the Ghemappa. These Ex.P-60 and 61 are

also got called for from the Tahasildar office. These documents are also not specifically denied by the defendants. These documents are also in support of the plaintiffs to prove that the defendant No.1 is not son of the Ghemappa.

51. The available materials in the record clearly reveals that the defendant No.1 is son of the Peerappa Lamani and not of the Ghemappa Lamani. **Hence, for the above all discussion, I hold that the plaintiffs have succeeded to prove that the defendant No.1 is not son of the Ghemappa. Further, I hold that the defendants have failed to prove that the defendant No.1 is son of the Ghemappa Lamani.**

52. The defendants have claimed right of ownership on suit properties by virtue of inheritance through the Ghemappa on contention that the defendant No.1 is son of the said Ghemappa. But in previous discussion, it is already held that the defendants have failed to prove that the defendant No.1 is son of the Ghemappa. When the defendants have failed to prove that the defendant No.1 is son of the Ghemappa, then neither the defendant No.1 nor his sons defendant No.2 and 3 can be owners of the suit properties by virtue of inheritance to the Ghemappa. **Hence, I hold that the defendants have failed to prove their ownership over the suit property.**

53. Already in previous discussion it has been held that the plaintiff have succeeded in proving that the Hemavva @ Tulachavva is daughter of the Ghemappa. Further there is no specific denial from the defendants that the plaintiffs are sons of the said Hemavva @ Tulachavva. The Ex.P-18 which is genealogy given by the village accountant in the name of father of the plaintiffs, also clearly reveals that the plaintiffs are sons of the Hemavva Lamani. Further there is evidence of PW-1 to this regard. The DW-1 also has admitted that themselves and plaintiffs have a common propositus. These all materials clearly prove that the plaintiffs are sons of Hemavva @ Tulachavva Lamani. **Hence, I hold that the plaintiffs have succeeded to prove that they are sons of Hemavva @ Tulachavva Lamani.**

54. It is case of the plaintiffs that the other two daughters of the Ghemappa namely 1) Dyamappa and 2) Hanumavva have died issueless and therefore they are being sons of the Hemavva @ Tulachavva have become owners of suit properties by inheritance to the Ghemappa through their mother.

55. As per the schedule to the Hindu Succession Act, the sons of predeceased daughter are class-I legal heirs. In this case also, the plaintiffs are being sons of predeceased

daughter of Ghemappa, they would be class-I legal heirs to the Ghemappa. The defendants would not come in class-I legal heirs to the Ghemappa. The plaintiffs are being class-I legal heirs to the Ghemappa would be owners of suit property by virtue of inheritance to be Ghemappa. **Hence, I hold that the plaintiffs have succeeded in proving their ownership over the suit properties.**

56. The plaintiffs have contended that they have been in possession of suit properties. On the contrary, the defendants have contended that they have been in possession of suit properties.

57. Already in above discussion, it has been held that the plaintiffs have become owners of suit properties by virtue of inheritance. It is settled principle of law that the possession follows the title. Since the title of the suit properties is being with the plaintiffs, the possession thereof also shall be with the plaintiffs.

58. Except some RTC of suit properties and tax paid receipts which are of recent period, there is nothing material evidence to show the possession of the defendants over the suit properties. There is no base to the defendants to have possession of the suit properties. Since, there is no source of possession of suit properties to the defendants, it can not be

held that the defendants are in possession of the suit properties. But on the contrary, it can be held that the plaintiffs are in possession of suit properties by virtue of title by inheritance. Though some RTC of suit properties are standing in the name of defendants, those RTC are under dispute between the plaintiffs and defendants before the revenue authorities.

59. Hence, on the basis of material available on the record, **I hold that the defendants have failed to prove that they are in possession of suit properties. I further hold that the plaintiffs have succeeded to prove that they are in possession of suit properties on the principle that the possession follows title.**

60. Since the plaintiffs have proved their ownership over the suit properties by inheritance, they are entitled for the relief of declaration of title on the suit properties.

61. Therefore, in view of above all discussion, **I have answered issue No.1 in the affirmative, and issue No.2 in the negative, and issue No.3 in the affirmative.**

62. ISSUE NO.4 :- Plaintiffs have contended that the defendants are interfering with their peaceful possession over the suit properties. On the contrary, the contention of the defendants is that as the plaintiffs having no possession over

the suit properties, the question of interference with possession of the plaintiffs over the suit properties would not arise.

63. In this case, the defendants have denied the relationship of the plaintiffs with the propositus of the family. Likewise, the possession and title of the plaintiffs over the suit properties are denied by the defendants. Similarly, in respect of suit properties, revenue proceedings have taken place between the plaintiffs and defendants. These all circumstances clearly go to show that the defendants are interfering with possession of the plaintiffs over the suit properties. Apart from this, the PW-1 also has deposed in this regard. Hence, on these facts and circumstances of the case, I hold that the plaintiffs have proved the interference of the defendants over peaceful possession of the suit properties. **Hence, I have answered issue No.4 in the affirmative.**

64. ISSUE NO.5:- This issue is as to entitlement of injunction to the plaintiffs. The plaintiffs have proved their ownership over the suit properties. Likewise, the plaintiffs have proved their possession on the suit properties. Likewise, the plaintiffs have proved the interference of the defendants over their peaceful possession of the suit properties. Under such facts and circumstance, there is no impediment to grant

injunction in favour of the plaintiffs against the defendants restraining them from interfering with peaceful possession of the plaintiffs over the suit properties. Hence, I hold that the plaintiffs are entitled for injunction as sought for. **Hence, I have answered issue No. 5 in the affirmative.**

65. ISSUE NO.6:- The defendants have taken defense that the Ghemappa Lamani had two daughters namely 1) Dyamavva and 2) Hanumavva. The first daughter Dyamavva has died leaving behind her husband Tavareppa and son Erappa as her legal heirs. Likewise, the 2nd daughter Hanumavva also has died leaving behind her husband and two sons namely 1) Rajappa and 2) Chandrappa as her legal heirs. The said legal heirs of the Dyamavva and Hanumavva have not been made as parties to the suit. In their absence, the suit can not be tried. Hence, the suit of the plaintiffs is hit by the principle of non-joinder of necessary parties.

66. As per plaintiffs case, the Dyamavva and Hanumavva who are daughters of the Ghemappa have died issue less, and they do not have any their legal heirs.

67. The defendants in order to prove that the said Dyamavva and Hanumavva have left their legal heirs as contended in the written statement, have relied upon the documents of Ex.D-1 and 2.

68. The Ex.D-1 is genealogy tree issued by the village accountant in the name of Manappa who is said to be father of the husband of Dyamavva. Ex.D-2 is also genealogy tree in the name of Lokappa who is said to be husband of the Hanumavva issued by the village accountant.

69. In Ex.D-1, it is described that one Manappa is father of the Thavareppa, and said Thavareppa is husband of the Dyamavva. In Ex.D-1, below the name of the Dyamavva, other two names like Erappa and Eravva have been mentioned as son and wife. But, in said Ex.D-1, it is not specifically stated that the Erappa is son born through the Dyamavva. Therefore, by the Ex.D-1, it would not be proved that the Dyamavva has left her son Erappa as her legal heir.

70. In Ex.D-2, it is described that Lokappa is husband of Hanumavva and Thakarevva, and the said Lokappa has got two sons through Hanumavva namely 1) Rajappa and 2) Chandrappa. By this document also, without other believable evidence, it can not be held that the Hanumavva has left two living sons namely 1) Rajappa and 2) Chandrappa.

71. The PW-2 Janappa Lamani has deposed in his evidence that the Hanumavva has died issue less after only 6 months from the day of her marriage. He further deposed that

the husband of the Hanumavva after death of his wife Hanumavva, has got 2nd marriage and through his 2nd wife has got two sons and two daughters. This evidence of the PW-2 is not specifically denied by the defendants. Hence, by the evidence of the PW-2, it clearly would be proved that the daughter of the Ghemappa namely Hanumavva has died issue less, and the husband of the Hanumavva has got children from his 2nd wife, who are mentioned in the Ex.D-2. Hence, the Rajappa and Chandrappa who are mentioned in Ex.D-2 can not be said to be sons of the Hanumavva.

72. Further, the defendants did not make any efforts to get anything from the mouth of PW-2 as to that the Hanumavva and Dyamavva have left any children as their legal heirs.

73. The PW-1 has deposed that the Dyamavva and Hanumavva have died issue less. Even in the evidence of the PW-1 also, the defendants could not get anything as to that the Dyamavva and Hanumavva have died leaving their children behind them as their legal heirs. Therefore, without any believable material, the contention of the defendants that the Dyamavva and Hanumavva have left their sons as legal heirs can not be accepted.

74. Even if, the Dyamavva and Hanumavva had living

legal heirs behind them, then the defendants could have made efforts to bring them before the court and get impleaded them in the suit as parties and get examined them as witnesses. But, no such efforts are made by the defendants.

75. Further, the defendants have pleaded that the husbands of the Dyamavva and Hanumavva are also necessary parties to the suit. But, the husbands of the Dyamavva and Hanumavva are not class-I legal heirs to the Dyamavva and Hanumavva respectively. Hence, I hold that the husbands of the Dyamavva and Hanumavva are not necessary parties to the suit.

76. On going through the materials on record, it appears that there is no material to hold that the Dyamavva and Hanumavva have any living children as their legal heirs. Hence, having regard to the above discussions, I hold that the defendants have failed to prove that the suit of the plaintiffs is hit by the principle of non-joinder of necessary parties. **Hence, I have answered issue No. 6 in the negative.**

77.ISSUE NO.7 :- For the reasons assigned on above issues, and findings taken thereon, I proceed to pass following order;

ORDER

The suit of the plaintiffs is decreed with costs.

In the result, it is hereby declared that the plaintiffs are owners of the suit properties on account of legal heir ship of the deceased Ghemappa Ramappa Lamani.

Further, the defendant No.1 to 3 or anybody on their behalf are hereby restrained by means of permanent injunction from interfering with peaceful possession and enjoyment of the suit properties by the plaintiffs in any manner.

Draw decree accordingly.

(Dictated to the steno, typed by her, corrected and then pronounced by me in the open court on this 23rd day of September 2017)

(Ibrahim M. Mujawar)
Senior Civil Judge & JMFC.,
Byadgi.

Annexures:

LIST OF WITNESSES EXAMINED ON BEHALF OF THE PLAINTIFF.

PW.1 : Somashekhar @ Somappa S/o
Peekappa Lamani @ Banakar.
PW.2 : Janappa S/o Babappa Lamani.

LIST OF DOCUMENTS EXHIBITED ON BEHALF OF THE PLAINTIFF.

- Ex.P.1 to 12 : ROR.
 Ex.P.13 to16 : MRs.
 Ex.P.17 : Death certificate of Ghemappa Lamani.
 Ex.P.18 : Genealogy tree of Peekappa Banakar @ Lamani.
- Ex.P.19 : MR.
 Ex.P.20 : Form No. 21.
 Ex.P.21 : MR extract.
 Ex.P.22 : Acknowledgement issued by the Revenue Department.
- Ex.P.23 : Application.
 Ex.P.24 : Genealogy tree of Ghemappa.
 Ex.P.25 & 26 : MRs.
 Ex.P.27 to 39 : ROR.
 Ex.P.40 : Form No.21
 Ex.P.41 : MR.
 Ex.P.42 : Revenue acknowledgment.
 Ex.P.43 : Original application.
 Ex.P.44 : Death certificate of Ghemappa Lamani.
 Ex.P.45 : Death certificate of Sitavva.
 Ex.P.46 : Survival certificate of deceased Ghemappa.
- Ex.P.47 to 56 : ROR.
 Ex.P.57 : Genealogy tree of deceased Ghemappa.
 Ex.P.58 & 59 : MRs.
 Ex.P.60 & 61 : Applications
 Ex.P.62 : Map of suit property.
 Ex.P.63 : Tax paid receipt.
 Ex.P.64 & 65 : MRs.
 Ex.P.66 : Application.
 Ex.P.67 : Copy of executed will.
 Ex.P.68 : Death certificate of Ghemappa Lamani.

LIST OF WITNESSES EXAMINED ON BEHALF OF THE DEFENDANTS

- DW.1 : Puttappa S/o Demappa @ Dyamappa
Lamani.
DW.2 : Subbappa S/o Chikkappa Lamani.
DW.3 : Bheemappa S/o Gopeppa Lamani.

**LIST OF DOCUMENTS EXHIBITED ON BEHALF OF THE
DEFENDANTS**

- Ex.D.1 : Genealogy tree of Manappa Lamani.
Ex.D.2 : Genealogy tree of Lokappa Lamani.
Ex.D.3 to 10 : ROR.
Ex.D.11 to 13 : MR.
Ex.D.14 to 16 : Khata extracts.
Ex.D.17 : School certificate of Rajappa.
Ex.D.18 : School certificate of Chandrappa.
Ex.D.19 : School certificate of Lokappa.
Ex.D.20 : Tahasildar's order.
Ex.D.21 to 26 : Tax paid receipts.
Ex.D.27 to 29 : Certificates of Village Accountant.

Senior Civil Judge & JMFC.,
Byadgi.