

IN THE COURT OF THE CIVIL JUDGE (Jr.Div) AT
BANGARPET

O.S. 101/2009

BETWEEN

Smt. Muniyamma @ Bodemma
W/o. late Narayanaswamy

Plaintiff

AND

1. Smt. Rukmaniyamma
and others

Defendants

FILED IN COURT

Civil Judge (Jr. Dn.)
& J.M.F.C. Court
Bangarpet

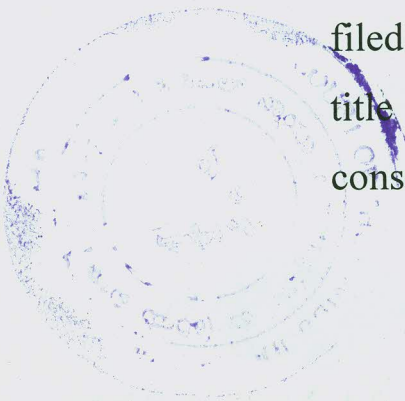
EXAMINATION IN CHIEF OF THE PLAINTIFF BY WAY
OF AFFIDAVIT

Name : Smt. Muniyamma @ Bodemma
Age : 83 years
Husband name : Narayanaswamy
Address : Arimanahalli Village
Kamasamudra Hobli
Bangarpet Taluk
Kolar District
Occupation : Agriculturist

EXAMINATION IN CHIEF DULY SWORN ON OATH

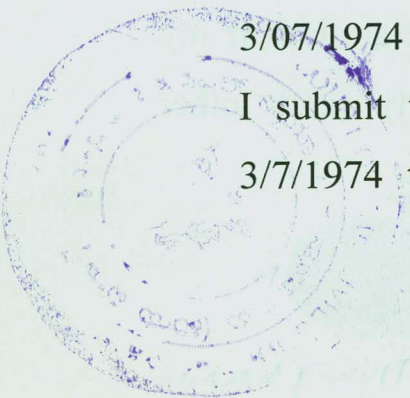
I, Smt. Muniyamma @ Bodemma, W/o. late Narayanaswamy, Age 82 years, Residing at Arimanahalli Village, Kamasamudra Hobli, Bangarpet Taluk, Kolar District do hereby solemnly affirm and state on oath as follows

1. I submit that, I am the plaintiff in the above case and I am well acquainted with the facts of the case. I have filed the above suit for the relief of declaration of my title over the suit schedule property and other consequential reliefs.



12 May 2009

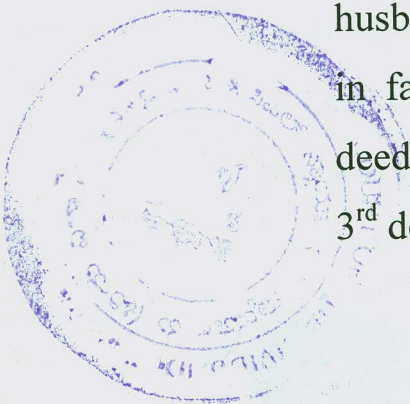
2. I submit that, I am the absolute owner in physical possession and enjoyment of the property bearing Sy.No.2, measuring to an extent of 1 acre 16 ½ guntas out of 2 acre 24 guntas, situated at Arimanahalli Village, Kamasamudram Hobli, Bangarpet Taluk. I submit that, I had purchased the schedule property through registered sale deed dated 3/07/1974 for valuable consideration from one B.N.Ramaiah S/o. Narayanappa. I submit that, on registration of the sale deed I was put in possession of the schedule property and from the date of purchase of the schedule property I am in peaceful possession and enjoyment over the schedule property.
3. I submit that, at the time of drafting of aforesaid registered sale deed dated 3/07/1974 executed by Ramaih in my favour in respect of schedule property, by mistake the survey number was wrongly written in the said sale deed as Sy.No.44 instead of Sy.No.2 of Arimanahalli village. I submit that, in the said sale deed the boundaries are specifically and clearly mentioned to identify the property and the said boundaries are all referred to schedule property i.e., portion of Sy.No.2 and same is tallies to the said survey number. I submit that, there is no property bearing survey number 44 belonging to family of Ramaiah i.e., vendor of plaintiff and as such it is clear that the property sold under the sale deed dated 3/07/1974 is nothing but Sy.No.2 i.e., schedule property. I submit that, to the said registered sale deed dated 3/7/1974 the other family members of Ramaiah i.e.,



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Krishnamurthy, Sundariah and others were also attested as witnesses by confirming the alienation.

4. I submit that, under the sale deed dated 3/07/1974, my vendor has also sold one tamarind tree which was situated in the schedule property and same is specifically recited in the aforesaid sale deed dated 3/07/1974. The existence of one tamarind tree in the schedule property i.e., in Sy.No.2 is also evidences from the R.T.C for the relevant period. That in column number 7 of R.T.C relating to Sy.No.2 i.e., schedule property it is specifically mentioned the existence of one tamarind tree at the time of execution of sale deed in my favour.
5. I submit that, the 3rd defendant is the purchaser of remaining extent in Sy.No.2 and the same is purchased through registered sale deed dated 3/07/1974. The 3rd defendant has purchased remaining extent of land in Sy.No.2 from one Krishna Murthy who is none other than younger brother of my vendor Ramaiah. I submit that, the sons of Narayanappa i.e., Ramaiah and Krishna Murthy by dividing Sy.No.2 between themselves have alienated their share in Sy.No.2 in favour of me and 3rd defendant herein. The aforesaid Ramaiah has alienated his property in my favour and said Krishna Murthy i.e., husband of 1st defendant herein has alienated his property in favour of 3rd defendant herein. That both the sale deeds were executed on 3/07/1974 in favour of me and 3rd defendant



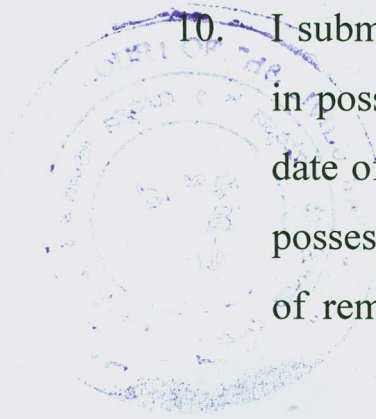
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6. I submit that, in the sale deed dated 3/07/1974 executed by husband of 1st defendant in favour of 3rd defendant herein, the property of the my vendor i.e., Ramaiah is shown towards southern side in Sy.No.2. That in the sale deed dated 3/07/1974 executed in my favour the share purchased by the 3rd defendant is shown towards northern side in sy.No.2. I submit that, my vendor Ramaiah and the vendor of 3rd defendant i.e., Krishnamurthy and other family members have signed to each sale deed as witnesses by confirming the sale. The husband of the 1st defendant i.e., Krishna Murthy has also signed as witnesses to the sale deed executed in my favour. The 4th defendant who is husband of 3rd defendant has also signed as witness to both the sale deeds executed in my favour and 3rd defendant in respect of Sy.No.2

7. I submit that, the property sold in my favour is part of definite survey number i.e., Sy.No.2 and in the said sale deed exact boundaries of the part sold in Sy.No.2 are given. I submit that, I am an illiterate and innocent and I don't know reading and writing of any language and while writing the survey number in the sale deed it is wrongly written as Sy.No.44 instead of survey number 2. I submit that, the husband of the 1st defendant i.e., Krishnamurthy is the scribe of the said sale deed purchased by me. But the boundaries are all referred to survey number 2. In both sale deeds referred hereinabove the Akar of the Sy.No.2 is assessed as Rs.2.

2 11/11/74
 02 Krishna Murthy

8. I submit that, originally the schedule property was Shanbhog Service Inam land attached to Arimanahalli Village, Kamasamudram Hobli, Bangarpet Taluk. That after death Narayanappa, his sons Ramaiah and Krishnamurthy have succeeded the said service and they became office holders of Arimanahalli Village. The said Ramaiah has sold his share in Sy.No.2 in favour of me, and Krishnamurthy has sold his share in the said survey number to the 3rd defendant at the same date i.e., on 3/07/1974. That as per the registered sale deed, my name was came to entered in the R.T.C at column No.12.
9. I submit that, I have purchased the schedule property from Ramaih after Karnataka Village Abolition Act, 1961 came in to force. Subsequently the schedule property was re-granted in favour of my alienor. I submit that, Krishnamurthy i.e., husband of the 1st defendant who represented the joint family before the revenue authorities and as such the schedule survey number was re-granted in his name. I submit that, the schedule property was alienated after Principal Karnataka Village Abolition Act came to in force and before it was re-granted to the alienor, I have perfected my title to the schedule property after regrant of schedule property.
10. I submit that, the remaining extent of land in Sy.No.2 is in possession of 3rd defendant herein and since from the date of purchase of the schedule property I am in settled possession and the 3rd defendant is in settled possession of remaining extent of the land in Sy.No.2. I submit

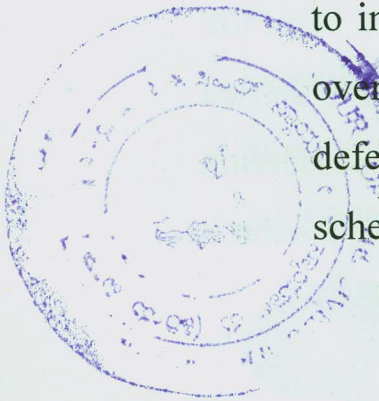


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that, the property purchased by 3rd defendant was re-granted to her by the Thaildar, Bangarpet Taluk, in case No. INA 63/78-79, dated 14/12/1987. That in the said order my possession ~~of the~~ was not disturbed and I am in continuous possession over the schedule property since from the date of purchase of schedule property.

11. I submit that, my name is continued in the R.T.C in column No.12 upto the Government Notification to the effect that the names of the persons shall not be entered in the cultivator's column. However I am in continuous possession and enjoyment over the schedule property and I am personally cultivating the schedule property and raising crops like ragi, ground nuts etc.,. The tamarind tree which was existence in the schedule property became very old and naturally fell down.
12. I submit that, I had one daughter by name Gowramma and I have no male issues and with the help of my daughter I am cultivating the schedule property and I am raising several agricultural crops in the schedule property. That from the date of purchase of the schedule property I am paying tax to the concerned authority in respect of schedule property i.e., in respect of Sy.No.2.
13. I submit that, all of a sudden the 1st defendant has started to interfere with my peaceful possession and enjoyment over the schedule property. That on 2/07/2007 the 1st defendant has made and attempt to trespass in to the schedule property and made and attempt to dispossess

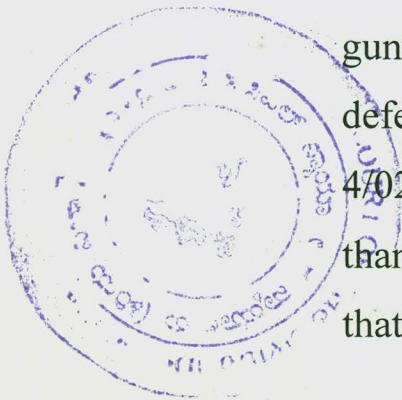


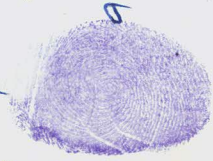
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me from suit schedule property. During that period I have filed suit against the 1st defendant before this Hon'ble Court in O.S.No.126/2007 for the relief of permanent injunction. The 1st defendant is none other than wife of Krishna Murthy who is younger brother of my vendor.

14. I submit that, I am uneducated, illiterate and innocent lady and I have no male support in the locality. That taking advantage of my social weakness and helplessness the 1st defendant has got mutated her name in revenue records in respect of schedule property behind back of me and by suppressing material facts. That taking advantage of the frivolous revenue entries the 1st defendant has made all types of illegal activities to dispossess me from the schedule property. I submit that, I have also issued legal notice dated 23/8/2007 through my advocate to the Thasildar and Revenue inspector of Bangarpet Taluk, intimating about my right and

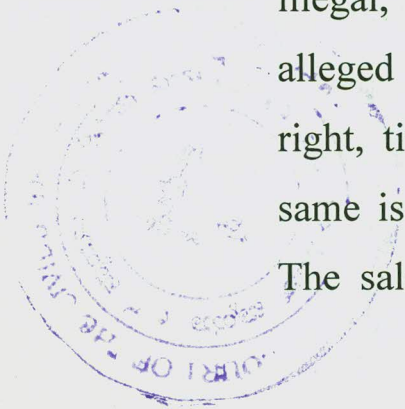
15. I submit that, during pendency of the aforesaid suit O.S.No.126/2007 and taking advantage of the frivolous revenue entries the 1st defendant has alienated 1 acre 6 ½ guntas in the schedule property in favour of 2nd defendant herein through registered sale deed dated 4/02/2008. I submit that, the 2nd defendant is none other than son-in-law of 3rd and 4th defendant herein. I submit that, when the 1st defendant failed to dispossess me from



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 of Krishna Murthy

the schedule property, has alienated 1 acre 6 ½ guntas in the schedule property in favour of 2nd defendant.

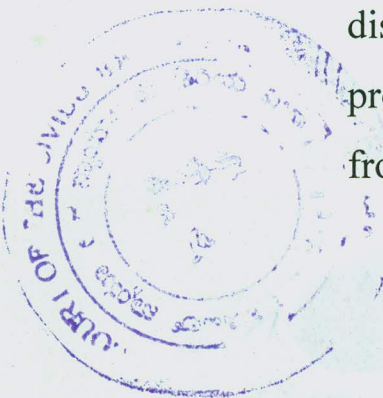
16. I submit that, the defendants 1 to 4 by colluding with each other and taking advantage of my old age and helplessness have created the said sale deed in favour of 2nd defendant herein with intention to grab the schedule property. The 3rd and 4th defendants who are owners of the remaining portion of the schedule survey number have well aware about my possession and title over the schedule property. The 3rd and 4th defendant knowing fully well about the said factual aspects have got purchased the schedule property in the name of their son-in-law i.e., 2nd defendant herein who is not at all resident of Arimanahalli village.
17. I submit that, the 1st defendant has no manner of right, title, interest and possession over the schedule property. I submit that, taking advantage of the frivolous revenue entries and re-grant order, the 1st defendant has alienated the 1 acre 6 ½ guntas in schedule property in favour of 2nd defendant herein. The sale deed dated 4/02/2008 executed by 1st defendant in favour of 2nd defendant in respect of 1 acre 6 ½ guntas in schedule property is illegal, void and unlawful. That on the strength of alleged sale deed the 2nd defendant will not acquire any right, title and interest over the schedule property and same is liable to be ignored and same is nominal one. The sale deed 4/02/2008 executed by 1st defendant in



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favour of 2nd defendant is null and void and same is not binding on me. I submit that, as on this date I am in peaceful and physical possession and enjoyment over the schedule property. I submit that, the defendants 2 to 4 have fraudulently got executed the sale deed in favour of 2nd defendant herein, but the possession still is with me.

18. I submit that, based on frivolous and illegal sale deed dated 4/02/2008 the defendants are making false and frivolous claim over the entire extent of schedule property claiming that they are the owners of the schedule property by denying my title over the schedule property. I submit that, further the 2nd defendant taking advantage of alleged sale deed standing in his name and by colluding with other defendants are trying to interfere with my possession over the schedule property by denying my title. I submit that, on the strength of frivolous sale deed, the 2nd defendant by colluding with defendants 1,3 and 4 on 9/05/2009 at about 9 AM along with large number of henchmen came near the schedule property and made an illegal attempt to dispossess me from the schedule property by interfering with my possession. However I have resisted the said illegal acts of the defendants with great difficulty with the help of neighbours. That when defendants unsuccessful in dispossessing me, have left the schedule property by proclaiming that shortly they will going to dispossess me from the schedule property.



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19. I submit that, the 1st defendant never in possession of the schedule property at any point time and 2nd defendant is also ~~in~~ ⁱⁿ not possession of the schedule property and on the strength of frivolous revenue entries are making false claim over the schedule property. I submit that, the defendants who are physically and financially are powerful persons and by colluding with local police and revenue officials have got favorable orders in their favour with intention to make wrongful claim over the schedule property.

20. I submit that, the said illegal and high handed acts of the defendants has been reported to the local police and the police have not taken any steps against the defendants by saying that the matter is civil in nature. I submit that, the defendants are very powerful persons in the locality and they are having men and materials behind their back and I am age old lady is not in a position to resist the illegal and high handed acts of the defendants without an order of injunction from this Hon'ble Court. I submit that, after filing of this suit I have withdrawn the aforesaid suit in O.S.No.126/2007 which was filed for the relief of permanent injunction.

I submit that, we have produced the documents in support of my case and the same may be marked as exhibits in the above suit.

Wherefore it is respectfully prayed that this Hon'ble Court be pleased to decree the above suit as prayed for in the plaint.

12/11/2007

I the deponent named above do hereby verify and declare that what is stated herein above are all true and correct to the best of my knowledge, information and belief.

Identified by me

D. M. Singh
Advocate
Bangarpet
Date: ~~22/9/2010~~

3-11-10

Muniyamma
Deponent

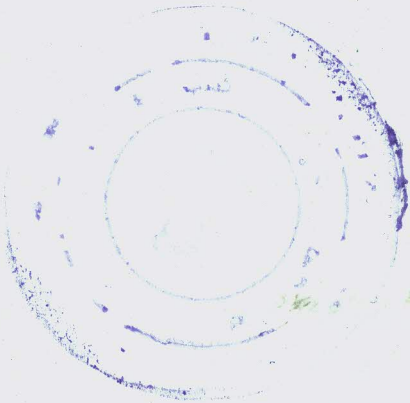
VERIFICATION

I Muniyamma @ Bodamma, the plaintiff do hereby verify that what is stated herein above in the plaint are all true and correct to the best of our knowledge, information and belief.

Bangarpet
Date: ~~22/9/2010~~

3-11-10

Muniyamma
Plaintiff



NO *Corrections - fire up*
ಜೆ.ಎಂ.ಎಸ್.ಸಿ. ಕಾನೂನುಬಾಹಿರವಾಗಿರುವುದನ್ನು ಸರಿಪಡಿಸುವುದಿಲ್ಲ
ಜೆ.ಎಂ.ಎಸ್.ಸಿ. ಕಾನೂನುಬಾಹಿರವಾಗಿರುವುದನ್ನು ಸರಿಪಡಿಸುವುದಿಲ್ಲ
ಜೆ.ಎಂ.ಎಸ್.ಸಿ. ಕಾನೂನುಬಾಹಿರವಾಗಿರುವುದನ್ನು ಸರಿಪಡಿಸುವುದಿಲ್ಲ
8/11/10

IN THE COURT OF THE CIVIL JUDGE AT BANGARPET

O.S. 101/2009

BETWEEN

Smt. Muniyamma @ Bodemma

Plaintiff

AND

1. Smt. Rukmaniyamma
and others

Defendants

**EXAMINATION IN CHIEF OF THE PLAINTIFF BY
WAY OF AFFIDAVIT**

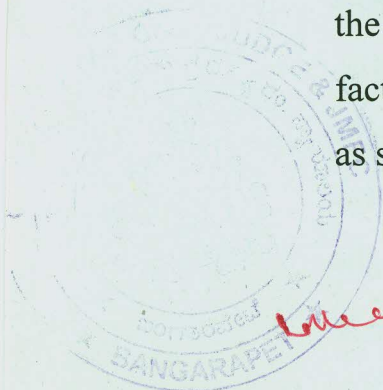
Name : Smt. Gowramma
Age : 38 years
Father name : Narayanaswamy
Address : BEML, Dasarahalli Village
K.G.F, Bangarpet Taluk
Kolar District
Occupation : Agriculturist

PW2
JUDGE (Jr. Dn.) & J.M.P.A.
Bangarpet. 4/7/10

EXAMINATION IN CHIEF DULY SWORN ON OATH

I, Smt. Gowramma D/o. late Narayanaswamy, Age 38 years, Residing at BEML, Dasarahalli Village, K.G.F, Bangarpet Taluk, Kolar District do hereby solemnly affirm and state on oath as follows

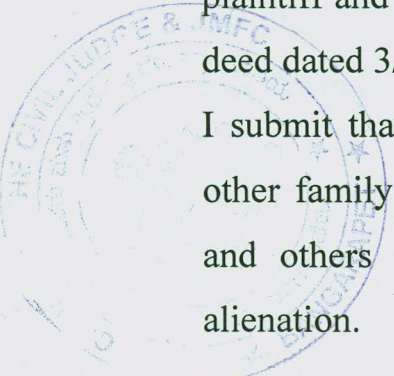
1. I submit that, I am the General Power of Attorney Holder of the plaintiff in the above case and I am well acquainted with the facts of the case. I submit that, I am daughter of the plaintiff and as such I personally know the facts of the case.



2. I submit that, the plaintiff has filed the above suit for the relief of declaration of title over the suit schedule property and other consequential reliefs against the defendants.

3. I submit that, the plaintiff is the absolute owner in physical possession and enjoyment of the property bearing Sy.No.2, measuring to an extent of 1 acre 16 ½ guntas out of 2 acre 24 guntas, situated at Arimanahalli Village, Kamasamudram Hobli, Bangarpet Taluk. I submit that, the plaintiff had purchased the schedule property through registered sale deed dated 3/07/1974 for valuable consideration from one B.N.Ramaiah S/o. Narayanappa. I submit that, on registration of the sale deed the plaintiff was put in possession of the schedule property and from the date of purchase of the schedule property the plaintiff is in peaceful possession and enjoyment over the schedule property.

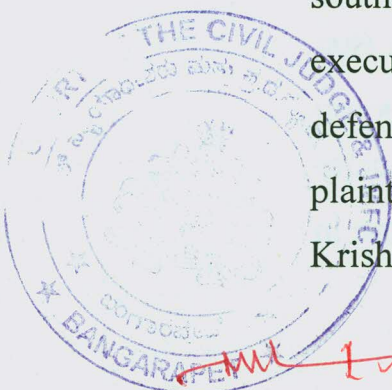
4. I submit that, at the time of drafting of aforesaid registered sale deed dated 3/07/1974 executed by Ramaih in my favour the plaintiff in respect of schedule property, by mistake the survey number was wrongly written in the said sale deed as Sy.No.44 instead of Sy.No.2 of Arimanahalli village. I submit that, in the said sale deed the boundaries are specifically and clearly mentioned to identify the property and the said boundaries are all referred to schedule property i.e., portion of Sy.No.2 and same is tallies to the said survey number. I submit that, there is no property bearing survey number 44 belonging to family of Ramaiah i.e., vendor of plaintiff and as such it is clear that the property sold under the sale deed dated 3/07/1974 is nothing but Sy.No.2 i.e., schedule property. I submit that, to the said registered sale deed dated 3/7/1974 the other family members of Ramaiah i.e., Krishnamurthy, Sundariah and others were also attested as witnesses by confirming the alienation.



5. I submit that, under the sale deed dated 3/07/1974, the plaintiff vendor has also sold one tamarind tree which was situated in the schedule property and same is specifically recited in the aforesaid sale deed dated 3/07/1974. The existence of one tamarind tree in the schedule property i.e., in Sy.No.2 is also evidences from the R.T.C for the relevant period. That in column number 7 of R.T.C relating to Sy.No.2 i.e., schedule property it is specifically mentioned the existence of one tamarind tree at the time of execution of sale deed in favour plaintiff.

6. I submit that, the 3rd defendant is the purchaser of remaining extent in Sy.No.2 and the same is purchased through registered sale deed dated 3/07/1974. The 3rd defendant has purchased remaining extent of land in Sy.No.2 from one Krishna Murthy who is none other than younger brother of my vendor Ramaiah. I submit that, the sons of Narayanappa i.e., Ramaiah and Krishna Murthy by dividing Sy.No.2 between themselves have alienated their share in Sy.No.2 in favour of plaintiff and 3rd defendant herein. The aforesaid Ramaiah has alienated his property in favour of plaintiff and said Krishna Murthy i.e., husband of 1st defendant herein has alienated his property in favour of 3rd defendant herein. That both the sale deeds were executed on 3/07/1974 in favour of me ^{mother} and 3rd defendant

7. I submit that, in the sale deed dated 3/07/1974 executed by husband of 1st defendant in favour of 3rd defendant herein, the property of the plaintiffs vendor i.e., Ramaiah is shown towards southern side in Sy.No.2. That in the sale deed dated 3/07/1974 executed in plaintiffs favour the share purchased by the 3rd defendant is shown towards northern side in sy.No.2. I submit that, plaintiffs vendor Ramaiah and the vendor of 3rd defendant i.e., Krishnamurthy and other family members have signed to each sale



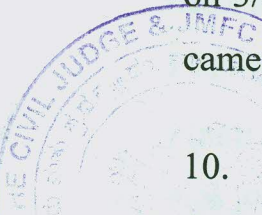
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deed as witnesses by confirming the sale. The husband of the 1st defendant i.e., Krishna Murthy has also signed as witnesses to the sale deed executed in plaintiffs favour. The 4th defendant who is husband of 3rd defendant has also signed as witness to both the sale deeds executed in my favour and 3rd defendant in respect of Sy.No.2

8. I submit that, the property sold in plaintiffs favour is part of definite survey number i.e., Sy.No.2 and in the said sale deed exact boundaries of the part sold in Sy.No.2 are given. I submit that, plaintiffs is an illiterate and innocent and she don't know reading and writing of any language and while writing the survey number in the sale deed it is wrongly written as Sy.No.44 instead of survey number 2. I submit that, the husband of the 1st defendant i.e., Krishnamurthy is the scribe of the said sale deed purchased by me. But the boundaries are all referred to survey number 2. In both sale deeds referred hereinabove the Akar of the Sy.No.2 is assessed as Rs.2.

9. I submit that, originally the schedule property was Shanbhog Service Inam land attached to Arimanahalli Village, Kamasamudram Hobli, Bangarpet Taluk. That after death Narayanappa, his sons Ramaiah and Krishnamurthy have succeeded the said service and they became office holders of Arimanahalli Village. The said Ramaiah has sold his share in Sy.No.2 in favour of plaintiff, and Krishnamurthy has sold his share in the said survey number to the 3rd defendant at the same date i.e., on 3/07/1974. That as per the registered sale deed, my name was came to entered in the R.T.C at column No.12.

10. I submit that, plaintiff has purchased the schedule property from Ramaih after Karnataka Village Abolition Act, 1961 came in



Handwritten signature in blue ink.

to force. Subsequently the schedule property was re-granted in favour of plaintiffs alienor. I submit that, Krishnamurthy i.e., husband of the 1st defendant who represented the joint family before the revenue authorities and as such the schedule survey number was re-granted in his name. I submit that, the schedule property was alienated after Principal Karnataka Village Abolition Act came to in force and before it was re-granted to the alienor of plaintiff and the plaintiff has perfected her title to the schedule property after regrant of schedule property.

11. I submit that, the remaining extent of land in Sy.No.2 is in possession of 3rd defendant herein and since from the date of purchase of the schedule property plaintiff is in settled possession and the 3rd defendant is in settled possession of remaining extent of the land in Sy.No.2. I submit that, the property purchased by 3rd defendant was re-granted to her by the Thaildar, Bangarpet Taluk, in case No.INA 63/78-79, dated 14/12/1987. That in the said order my possession of the plaintiff was not disturbed and the plaintiff is in continuous possession over the schedule property since from the date of purchase of schedule property.

12. I submit that, plaintiffs name is continued in the R.T.C in column No.12 upto the Government Notification to the effect that the names of the persons shall not be entered in the cultivator's column. However plaintiffs is in continuous possession and enjoyment over the schedule property and plaintiff personally cultivating the schedule property and raising crops like ragi, ground nuts etc.,. The tamarind tree which was existence in the schedule property became very old and naturally fell down.



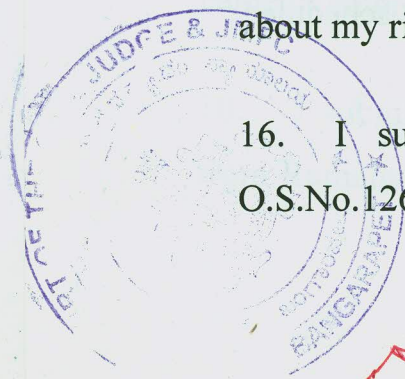
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13. I submit that, I am only daughter to the plaintiff and there are other legal heir to the plaintiff and the plaintiff with the help of me is cultivating the schedule property and we are raising several agricultural crops in the schedule property. That from the date of purchase of the schedule property we are paying tax to the concerned authority in respect of schedule property i.e., in respect of Sy.No.2.

14. I submit that, all of a sudden the 1st defendant has started to interfere with plaintiffs peaceful possession and enjoyment over the schedule property. That on 2/07/2007 the 1st defendant has made and attempt to trespass in to the schedule property and made and attempt to dispossess plaintiffs from suit schedule property. During that period plaintiff have filed suit against the 1st defendant before this Hon'ble Court in O.S.No.126/2007 for the relief of permanent injunction. The 1st defendant is none other than wife of Krishna Murthy who is younger brother of my vendor.

15. I submit that, plaintiff is uneducated, illiterate and innocent lady and she had no male support in the locality. That taking advantage of my social weakness and helplessness the 1st defendant has got mutated her name in revenue records in respect of schedule property behind back of plaintiff and by suppressing material facts. That taking advantage of the frivolous revenue entries the 1st defendant has made all types of illegal activities to dispossess plaintiff from the schedule property. I submit that, plaintiff have also issued legal notice dated 23/8/2007 through my advocate to the Thasildar and Revenue inspector of Bangarpet Taluk, intimating about my right.

16. I submit that, during pendency of the aforesaid suit O.S.No.126/2007 and taking advantage of the frivolous revenue

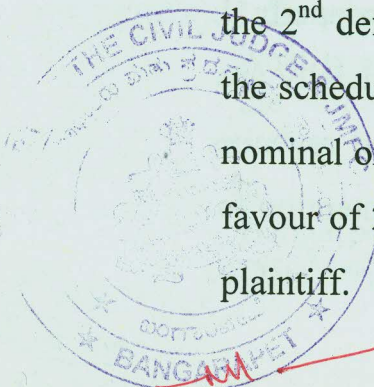


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entries the 1st defendant has alienated 1 acre 6 ½ guntas in the schedule property in favour of 2nd defendant herein through registered sale deed dated 4/02/2008. I submit that, the 2nd defendant is none other than son-in-law of 3rd and 4th defendant herein. I submit that, when the 1st defendant failed to dispossess me from the schedule property, has alienated 1 acre 6 ½ guntas in the schedule property in favour of 2nd defendant.

17. I submit that, the defendants 1 to 4 by colluding with each other and taking advantage of my old age and helplessness have created the said sale deed in favour of 2nd defendant herein with intention to grab the schedule property. The 3rd and 4th defendants who are owners of the remaining portion of the schedule survey number have well aware about my possession and title over the schedule property. The 3rd and 4th defendant knowing fully well about the said factual aspects have got purchased the schedule property in the name of their son-in-law i.e., 2nd defendant herein who is not at all resident of Arimanahalli village.

18. I submit that, the 1st defendant has no manner of right, title, interest and possession over the schedule property. I submit that, taking advantage of the frivolous revenue entries and re-grant order, the 1st defendant has alienated the 1 acre 6 ½ guntas in schedule property in favour of 2nd defendant herein. The sale deed dated 4/02/2008 executed by 1st defendant in favour of 2nd defendant in respect of 1 acre 6 ½ guntas in schedule property is illegal, void and unlawful. That on the strength of alleged sale deed the 2nd defendant will not acquire any right, title and interest over the schedule property and same is liable to be ignored and same is nominal one. The sale deed 4/02/2008 executed by 1st defendant in favour of 2nd defendant is null and void and same is not binding on plaintiff. I submit that, as on this date plaintiff is in peaceful and

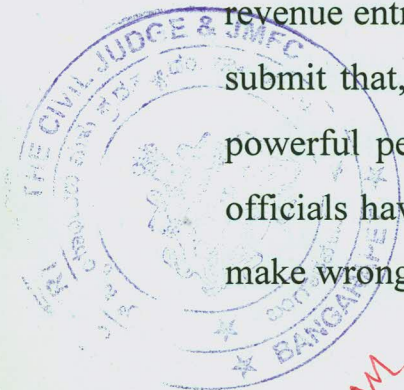


no objection

physical possession and enjoyment over the schedule property. I submit that, the defendants 2 to 4 have fraudulently got executed the sale deed in favour of 2nd defendant herein, but the possession still is with plaintiff.

19. I submit that, based on frivolous and illegal sale deed dated 4/02/2008 the defendants are making false and frivolous claim over the entire extent of schedule property claiming that they are the owners of the schedule property by denying plaintiff title over the schedule property. I submit that, further the 2nd defendant taking advantage of alleged sale deed standing in his name and by colluding with other defendants are trying to interfere with plaintiff possession over the schedule property by denying plaintiff title. I submit that, on the strength of frivolous sale deed, the 2nd defendant by colluding with defendants 1,3 and 4 on 9/05/2009 at about 9 AM along with large number of henchmen came near the schedule property and made an illegal attempt to dispossess plaintiff from the schedule property by interfering with plaintiff possession. However I have resisted the said illegal acts of the defendants with great difficulty with the help of neighbours. That when defendants unsuccessful in dispossessing plaintiff, have left the schedule property by proclaiming that shortly they will going to dispossess plaintiff from the schedule property.

20. I submit that, the 1st defendant never in possession of the schedule property at any point time and 2nd defendant is also in not possession of the schedule property and on the strength of frivolous revenue entries are making false claim over the schedule property. I submit that, the defendants who are physically and financially are powerful persons and by colluding with local police and revenue officials have got favorable orders in their favour with intention to make wrongful claim over the schedule property.



R. S. Srinivas

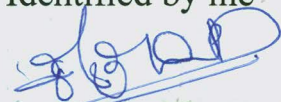
21. I submit that, the said illegal and high handed acts of the defendants has been reported to the local police and the police have not taken any steps against the defendants by saying that the matter is civil in nature. I submit that, the defendants are very powerful persons in the locality and they are having men and materials behind their back and plaintiff is age old lady is not in a position to resist the illegal and high handed acts of the defendants without an order of injunction from this Hon'ble Court. I submit that, after filing of this suit I have withdrawn the aforesaid suit in O.S.No.126/2007 which was filed for the relief of permanent injunction.

I submit that, plaintiff has produced the documents in support of her case and the same may be marked as exhibits in the above suit.

Wherefore it is respectfully prayed that this Hon'ble Court be pleased to decree the above suit as prayed for in the plaint.

I the deponent named above do hereby verify and declare that what is stated herein above are all true and correct to the best of my knowledge, information and belief.

Identified by me



Advocate

Bangarpet

Date: 4/7/2013



Deponent

VERIFICATION

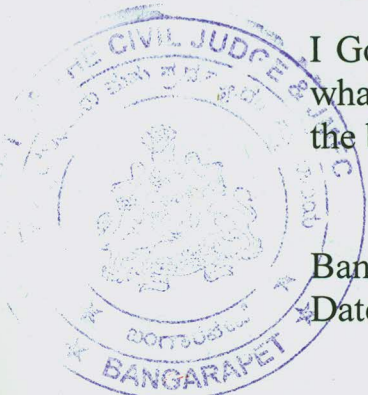
I Gowramma, the G.P.A holder for plaintiff do hereby verify that what is stated herein above in the plaint are all true and correct to the best of our knowledge, information and belief.



G.P.A Holder Plaintiff

Bangarpet

Date: 4/7/2013



My cell no - 1

ಶ್ರೀ ಮಹೇಶ್ ಕೆ.ಮಹೇಶ್ವರಗೌಡ
 ಶ್ರೀ (ಕೆ.ಎಂ.ಎಂ.) ಸಾಹು
 ಸಹ ನೋಂದಾಯಿತ (ಕ.ಸಿ.) ಸಾಹು
 ಕೆ.ಸಿ. ನೋಂದಾಯಿತ

ಸಾಕ್ಷಿಯನ್ನು ದಿ: 04.07.2013 ರಂದು ಕರೆಸಿ ಪ್ರಮಾಣ ಮಾಡಿಸಲಾಯಿತು.

ನಾನು ಈ ದಾವೆಯಲ್ಲಿ ವಾದಿಯವರ ಅಭಿರಣ ವೃತ್ತವನ್ನು ಹೊಂದಿದ್ದು ನನ್ನ ಮುಖ್ಯ ವಿಚಾರಣೆಯನ್ನು ಪ್ರಮಾಣ ವೃತ್ತದ ಮೂಲಕ ನ್ಯಾಯಾಲಯಕ್ಕೆ ಸಲ್ಲಿಸುತ್ತಿದ್ದೇನೆ. ಅದರಲ್ಲಿರುವ ಸಂಗತಿಗಳು ಸತ್ಯವಾಗಿ ಮತ್ತು ಸರಿಯಾಗಿರುತ್ತದೆ. ಅದರಲ್ಲಿ ಕಂಡು ಬರುವ ಸಹಿ ನನ್ನದೇ ಇರುತ್ತದೆ.

ವಾದಿ ನನಗೆ ಬರೆದುಕೊಟ್ಟಂತಹ ಅಭಿರಣ ವೃತ್ತವನ್ನು ಹಾಜರು ಪಡಿಸಿದ್ದು. ಅದನ್ನು ನಿ ವಿ 1 ಅಂತ ಗುರಿಸಲಾಯಿತು. ರಾಮಯ್ಯ ರವರಿಂದ ವಾದಿ ದಿ: 3.7.1974 ರಂದು ಸ್ವತ್ತನ್ನು ಖರೀದಿಸಿದ ಬಗ್ಗೆ ಕ್ರಯ ವೃತ್ತವನ್ನು ಹಾಜರು ಪಡಿಸಿದ್ದು. ಅದನ್ನು ನಿ ವಿ 2 ಅಂತ ಗುರಿಸಲಾಯಿತು. ದಾವಾ ಸ್ವತ್ತಿನ ಸಂಬಂಧ 5 ತೆರಿಗೆ ರಶೀದಿಗಳನ್ನು ಹಾಜರು ಪಡಿಸಿದ್ದು. ಅವುಗಳನ್ನು ನಿ ವಿ 3 ರಿಂದ 7 ಅಂತ ಗುರಿಸಲಾಯಿತು. ದಾವಾ ಸ್ವತ್ತಿನ ಸಂಬಂಧ 5 RTC Extract ಗಳನ್ನು ಹಾಜರು ಪಡಿಸಿದ್ದು. ಅದನ್ನು ನಿ ವಿ 8 ರಿಂದ 12 ಅಂತ ಗುರಿಸಲಾಯಿತು. ದಾವಾ ಸ್ವತ್ತಿನ ಸಂಬಂಧ ಒಂದು MR Extract ಅನ್ನು ಹಾಜರು ಪಡಿಸಿದ್ದು. ಅದನ್ನು ನಿ ವಿ 13 ಅಂತ ಗುರಿಸಲಾಯಿತು. ದಾವಾ ಸ್ವತ್ತಿನ ಸಂಬಂಧ INA 63/1978.79 Re Grant Certificate ನ ದೃಢೀಕೃತ ನಕಲನ್ನು ಹಾಜರು ಪಡಿಸಿದ್ದು. ಅದನ್ನು ನಿ ವಿ 14 ಅಂತ ಗುರಿಸಲಾಯಿತು. ಕೃಷ್ಣಮೂರ್ತಿ ಅನ್ನುವವರು 3 ನೇ ಪ್ರತಿವಾದಿಗೆ ದಿ: 3.7.1974 ರಂದು ಸರ್ವೆ ನಂಬರ್ 2 ಬಾಬು ಬರೆದುಕೊಟ್ಟಂತಹ ಕ್ರಯ ವೃತ್ತದ ದೃಢೀಕೃತ ನಕಲನ್ನು ಹಾಜರು ಪಡಿಸಿದ್ದು. ಅದನ್ನು ನಿ ವಿ 15 ಅಂತ ಗುರಿಸಲಾಯಿತು. 1 ನೇ ಪ್ರತಿವಾದಿ 2 ನೇ ಪ್ರತಿವಾದಿಗೆ ದಿ: 4.2.2008 ರ ಕ್ರಯ ವೃತ್ತವನ್ನು ಹಾಜರು ಪಡಿಸಿದ್ದು. ಅದನ್ನು ನಿ ವಿ 16 ಅಂತ ಗುರಿಸಲಾಯಿತು. ಅಸಲು ದಾವೆ ಸಂಖ್ಯೆ 126/2007 ರ ವಾದ ವೃತ್ತ, ಲಿಖಿತ ಹೇಳಿಕೆ (written Statement ನ ದೃಢೀಕೃತ ನಕಲು) ದೃಢೀಕೃತ ನಕಲನ್ನು ಹಾಜರು ಪಡಿಸಿದ್ದು. ಅದನ್ನು ನಿ ವಿ 17 ಮತ್ತು 18 ಅಂತ ಗುರಿಸಲಾಯಿತು. ರಾಜ್‌ವತ್ ನಿರೀಕ್ಷಕರು ಮತ್ತು ತಹಶೀಲ್ದಾರ್ ರವರಿಗೆ ನೀಡಲಾದ ನೋಟೀಸಿನ ಕಚೇರಿ ನಕಲನ್ನು ಹಾಜರು ಪಡಿಸಿದ್ದು. ಅದನ್ನು ನಿ ವಿ 19 ಅಂತ ಗುರಿಸಲಾಯಿತು. ಮತ್ತು ಸದರಿ ನೋಟೀಸು ಸದರಿಯವರಿಗೆ ಜಾರಿಯಾದ ಬಗ್ಗೆ 2 ಅಂಚೆ ಸ್ವೀಕೃತಿ ವೃತ್ತಗಳನ್ನು ಹಾಜರು ಪಡಿಸಿದ್ದು. ಅದನ್ನು ನಿ ವಿ 20 ಮತ್ತು 21 ಅಂತ ಗುರಿಸಲಾಯಿತು. ವಾದಿ ಪ್ರತಿವಾದಿ ವಿರುದ್ಧ ದೂರು ನೀಡಿದ ಬಗ್ಗೆ NCR ಅನ್ನು ಹಾಜರು ಪಡಿಸಿದ್ದು. ಅದನ್ನು ನಿ ವಿ 22 ಅಂತ ಗುರಿಸಲಾಯಿತು.

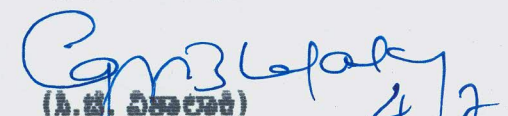
ಅದ್ದರಿಂದ ದಾವೆಯನ್ನು ದ್ವಿಕ್ರಿ ಮಾಹಲು ಕೊರೆದ.

ಪಾಟೀ ಸವಾಲಿಗೆ ವಕೀಲರು ಕಾಲಾವಕಾಶ ಕೇಳಿದ್ದು, ನೀಡಿದೆ.

(ತೆರೆದ ನ್ಯಾಯಾಲಯದಲ್ಲಿ ನನ್ನ ಉಕ್ತ ಲೇಖನದಂತೆ ಬೆರಳು ಮುದ್ರಿಸಲಾಗಿದೆ).

ಓ ಹೇ ಕೇ ಸರಿ ಇದೆ.

ಗೌರವಾನ್ವಿತ


(ಸಿ.ಬಿ. ಚಕ್ರವರ್ತಿ)
ಸಿವಿಲ್ ನ್ಯಾಯಾಧೀಶರು ಮತ್ತು JMFC,
ಬಂಗಾರಪೇಟೆ.

ಸಾಕ್ಷಿಯನ್ನು ದಿ: 15.04.2014 ರಂದು ಕರೆಸಿ ಪ್ರಮಾಣ ಮಾಡಿಸಲಾಯಿತು.

ಶಾಖೆ ಸವಾಲು: ಶ್ರೀ SH ವಕೀಲರಿಂದ:

ವಾದಿ ವನ್ನ ತಾಯಿ. ಈಗ ವನ್ನ ತಾಯಿ ದಾಸರಹೊಸಹಳ್ಳಿಯಲ್ಲಿ ವಾಸವಾಗಿದ್ದಾರೆ. ಸುಮಾರು 20 ವರ್ಷದಿಂದ ವನ್ನ ತಾಯಿ ಅಲ್ಲಿ ವಾಸವಿದ್ದಾರೆ. ವನ್ನ ತಾಯಿಗೆ 1 ವರ್ಷದಿಂದ ಆರೋಗ್ಯ ಚೆನ್ನಾಗಿಲ್ಲ. ಆ ಬಗ್ಗೆ ನ್ಯಾಯಾಲಯಕ್ಕೆ ದಾಖಲೆ ಹಾಜರು ಪಡಿಸಿದ್ದೇನೆ. ವನ್ನ ತಾಯಿಗೆ ಆರೋಗ್ಯ ಚೆನ್ನಾಗಿದೆ ಅಂದರೆ ಸರಿಯಲ್ಲ. ವನ್ನ ತಾಯಿ ನ್ಯಾಯಾಲಯಕ್ಕೆ ಬಂದರೆ ವಿಜಾಂಶ ಗೊತ್ತಾಗುತ್ತದೆಂದು, ನಾನು ಅವರ ಪರವಾಗಿ ಸಾಕ್ಷ್ಯ ಮಡಿಯುತ್ತಿದ್ದೇನೆಂದರೆ ಸರಿಯಲ್ಲ. ಈ ದಾವೆಗಿಂತ ಮೊದಲು ವನ್ನ ತಾಯಿ ಇದೇ ಪ್ರತಿವಾದಿಯರ ವಿರುದ್ಧ 05 126/2007 ರ ದಾವೆ ಸಲ್ಲಿಸಿದ್ದರು ಅಂದರೆ ಸರಿ. ಆ ದಾವೆಯಲ್ಲಿ ಏನು ತೀರ್ಮಾನವಾಯಿತೆಂದು ನನಗೆ ಗೊತ್ತಿಲ್ಲ. ಆ ದಾವೆ ನಡೆಯುತ್ತಿರುವಾಗಲೇ ಈ ದಾವೆ ಸಲ್ಲಿಸಿದ್ದರು ಎಂದರೆ ಸರಿ. ವನ್ನ ತಾಯಿ ಸಲ್ಲಿಸಿದ ಆ ದಾವೆಯ ಬಗ್ಗೆ ನನಗೆ ಮಾಹಿತಿ ಇದೆ. ಆ ದಾವೆಯನ್ನು ಸರ್ವೆ ನಂಬರ್ ತಿದ್ದುಪಡಿಗಾಗಿ ಸಲ್ಲಿಸಿದ್ದರು. ಈ ದಾವೆಯನ್ನು ಸಹಾ ತಿದ್ದುಪಡಿಗಾಗಿಯೇ ಸಲ್ಲಿಸಿದ್ದೇನೆ. ವನ್ನ ತಾಯಿ ಸಲ್ಲಿಸಿದ್ದ 05 126/2007 ರಲ್ಲಿ ಈ ದಾವೆಯನ್ನು ಸಲ್ಲಿಸುವುದಕ್ಕಾಗಿ ಅನುಮತಿ ಪಡೆದುಕೊಂಡಿಲ್ಲ. ನನಗೆ ಮದುವೆಯಾಗಿಲ್ಲ. ನಾನು ದಾಸರಹೊಸಹಳ್ಳಿಯಲ್ಲಿ ಸುಮಾರು 20 ವರ್ಷಗಳಿಂದ ವಾಸವಿದ್ದೇನೆ.

ಮುಂದುವರಿದ ಶಾಖೆ ಸವಾಲಿಗೆ ಮುಂದೂಡಲಾಗಿದೆ.

(ಕರೆದ ನ್ಯಾಯಾಲಯದಲ್ಲಿ ವನ್ನ ತಾಯಿ ಲೇಖನದಂತೆ ಬೆರಳಚ್ಚು ಮಾಡಲಾಗಿದೆ).

ಓ ಹೇ ಕೇ ಸರಿ ಇದೆ.

ನಾರಾಯಣ

(ಶ್ರೀ ಎಂ.ಬಸವರಾಜಪ್ಪ)

ಎವರ್ ನ್ಯಾಯಾಧೀಶರು ಮತ್ತು JMFC,

ಬಂಗಾರಪೇಟೆ.

ತುಂಬಿ

செயலாக்கியது உத்தரவு எண் 4102.40.21 வி.செயலாக்கியது

॥ चण्डिकायै नमः ॥ ॥ ऐं ह्रीं क्लीं ॥

ಪಾಠ್ಯಯತ್ನ ದಿ: 14.10.2014 ರಂದು ಸರ್ವೆ ಶ್ರಮಣ ಮಾಡಿಸಲಾಯಿತು.

ಪಾಟೀಯನ್ನು ದಿ. 14.10.2014 ರಂದು ಕೆರೆಗೆ ಪ್ರಮಾಣ ಮಾಡಿಸಲಾಯಿತು.

ಗೋರಗಿರಿ ರಿಡಾಕ್ ಹೀಗೆ, ಬಂದ್ವಿತ್ತರಗೋರಿ ತುಂಡು ರಿಡಾಕ್ ಕೆಳಗೋರಗಿರಿ ಹೀಗೆ ಹೀಗೆ, ಅಂದಿರಿ
ಮರು ವಿಚಾರಣೆ : ಇಲ್ಲಿ
ರಿಡಾಕ್ ರಿಡಾಕ್ ರಿಡಾಕ್ ಹೀಗೆ, ಅಂದಿರಿ
(ಕೆಲವು ಸ್ಥಾನಗಳಲ್ಲಿ ಸ್ವಲ್ಪ ಉತ್ತರಿಸಿದಂತೆ ಗೋರಗಿರಿ ಮಾಡಲಾಗಿದೆ).

[illegible]

ದೃಷ್ಟಾಂತವಾಗಿ ದೇವರನ್ನು ಅರಿತುಕೊಳ್ಳುವುದು ದೇವರನ್ನು ಅರಿತುಕೊಳ್ಳುವುದು ದೇವರನ್ನು ಅರಿತುಕೊಳ್ಳುವುದು
 ಅರಿತುಕೊಳ್ಳುವುದು ದೇವರನ್ನು ಅರಿತುಕೊಳ್ಳುವುದು ದೇವರನ್ನು ಅರಿತುಕೊಳ್ಳುವುದು
 (1.20.10/14)

ಗೌರಲೆತ್ತಿ ಪ್ರವಾಸ ವಿಲಾಸ್ ನ್ಯಾಯಾಧೀಶರು ಮತ್ತು ಹೆ.ಎಂ.ಎಚ್.ಎ. ಮಂಗಳೂರಿನಲ್ಲಿ.

05 ರಾಜ್ಯದ ರೈತರ ಹಿತರಕ್ಷಣೆಗಾಗಿ ರಾಜ್ಯ ಅಗ್ರಿಕಲ್ ಬೋರ್ಡ್ ಗೆ ಸಹ ಅಧೀನದಲ್ಲಿರುವ ಸಾರ್ವಜನಿಕ ದಿ. 27.1.2015 ರಂದು ಕರೆಸಿ ಪ್ರಮಾಣ ಮಾಡಿಸಲಾಯಿತು.

ಸಾಕ್ಷಿಯನ್ನು ದಿ: 27.1.2015 ರಂದು ಕರೆಸಿ ಪ್ರಮಾಣ ಮಾಡಿಸಲಾಯಿತು.

ಅನುವಾಗಿ ಮೇರೆಗೆ ಮುಂದುವರೆದ ಪಾಟೀ ಸವಾಲು : ೨,೬ ಕೆ ಆರ್ ಎಸ್ ಹೆಚ್ ವಕೀಲರಿಂದ.

ನನ್ನ ತಾಯಿ ಬರೆದುಕೊಟ್ಟಿದ್ದಾರೆಂದು ಹೇಳಿರುವ ಅಧಿಕಾರ ಪತ್ರದಲ್ಲಿ ಇರುವ ಅಂಶಗಳನ್ನು ನಾನು ತಿಳಿದುಕೊಂಡಿದ್ದೇನೆ. ಅದನ್ನು ಬರೆದುಕೊಟ್ಟ ಸಮಯದಲ್ಲಿ ನನ್ನ ತಾಯಿ ನನ್ನೊಂದಿಗೆ ದಾಸರಹೊಸಕಲ್ಲಿಯಲ್ಲಿ ವಾಸವಿದ್ದರು. ಸದರಿ ದಾಖಲೆಗೆ ಸಾಕ್ಷಿದಾರರು ಯಾರು ಸಹಿ ಮಾಡಿದ್ದಾರೆಂದು ಗೊತ್ತಿಲ್ಲ. ದಾಸರಹೊಸಕಲ್ಲಿಯಿಂದ ಅರುಮಾನಹಳ್ಳಿ ಸುಮಾರು 25 ಕಿ ಮೀ ದೂರದಲ್ಲಿದೆಂದರೆ ಸರಿ. ಅರುಮಾನಹಳ್ಳಿಯಲ್ಲಿ ನಮಗೆ ಸೇರಿದ ಮನೆ ಇದ್ದು ಅದು ಬಿದ್ದು ಹೋಗಿದೆ ಆ ಬಗ್ಗೆ ದಾಖಲೆ ನಾನು ತೆಗೆದುಕೊಂಡಿಲ್ಲ. ದಾವಾ ಆಸ್ತಿ ಹೊರೆತು ಅರುಮಾನಹಳ್ಳಿಯಲ್ಲಿ ನಮಗೆ ಬೇರೆ ಜಮೀನು ಇಲ್ಲ. ನಾವು ಅರುಮಾನಹಳ್ಳಿಯಲ್ಲಿ ವಾಸವಿದ್ದ ಬಗ್ಗೆ ಯಾವುದೇ ದಾಖಲೆಗಳನ್ನು ಹಾಜರು ಪಡಿಸಿಲ್ಲ. ನಾವು ಅರುಮಾನಹಳ್ಳಿಯಲ್ಲಿ ಯಾವತ್ತೂ ವಾಸವಿಲ್ಲ ಎಂದರೆ ಸರಿಯಲ್ಲ. ದಾವಾ ಆಸ್ತಿ ಶಾನುಭೋಗ ಇನಾಂಕಿ ಭೂಮಿ ಎಂದರೆ ಸರಿ. ಸರ್ವೆ ನಂಬರ್ 2 ರ ಆಸ್ತಿಯನ್ನು ಖರೀದಿಸಿದ ಬಗ್ಗೆ ನಮ್ಮ ಬಳಿ ದಾಖಲೆ ಇದೆ. ದಾವಾ ಆಸ್ತಿಯ ಅಕ್ಕಪಕ್ಕದ ಆಸ್ತಿಗಳ ಸರ್ವೆ ನಂಬರ್ ನನಗೆ ಗೊತ್ತಿಲ್ಲ. ಸರ್ವೆ ನಂಬರ್ 2 ರ ಆಸ್ತಿಯನ್ನು 1974 ರಲ್ಲಿ

શ્રી ૦ લેટ

ಖರೀದಿಸಿದ್ದೇವೆ. ಆ ಬಗ್ಗೆ ಪಹಣಿಗಳನ್ನು ಹಾಜರು ಪಡಿಸಿದ್ದೇವೆ. ಸ.ನಂ. 2 ಒಂದು ಎಕರೆ 16 ವರೆಗೆ ಗುಂಟೆ ಇರುತ್ತದೆ. ಸ.ನಂ. 2 ಒಟ್ಟು ಎಷ್ಟು ವಿಸ್ತೀರ್ಣ ಇದೆ ಎಂದು ನನಗೆ ಗೊತ್ತಿಲ್ಲ. ನಿಜ 2 ಕ್ರಯ ಪತ್ರ ಸ.ನಂ. 2 ಕ್ಕೆ ಸಂಬಂಧಿಸಿರುವುದಿಲ್ಲ ಅದು ಸ.ನಂ. 44 ಕ್ಕೆ ಸಂಬಂಧಿಸಿರುತ್ತದೆಂದರೆ ನನಗೆ ಗೊತ್ತಿಲ್ಲ. ಸಾಕ್ಷಿ ಜಮೀನು ಕೊಟ್ಟಿರುವವರು ತಪ್ಪು ಮಾಡಿರುತ್ತಾರೆಂದು ಹೇಳುತ್ತಾರೆ. ಸ.ನಂ. ತಪ್ಪಾಗಿರುವುದನ್ನು ಸರಿ ಪಡಿಸಿ ಕೊಡುವಂತೆ ನಾವು ಮಾರಾಟಗಾರರಿಗೆ ಇದುವರೆಗೂ ನೋಟಿಸು ಕೊಟ್ಟಿಲ್ಲ. ಸ.ನಂ. 2 ರ ಆಸ್ತಿಯಲ್ಲಿ ನಾವು ಸ್ವಾಧೀನದಲ್ಲಿ ಇಲ್ಲ ಎಂದರೆ ಸರಿಯಲ್ಲ. ದಾವಾ ಆಸ್ತಿ 1 ನೇ ಪ್ರತಿವಾದಿ ರುಕ್ಮಿಣಿಯಮ್ಮನಿಗೆ ಸೇರಿರುತ್ತದೆಂದರೆ ಸರಿಯಲ್ಲ. 1 ನೇ ಪ್ರತಿವಾದಿ ಸದರಿ ಆಸ್ತಿಯನ್ನು 2 ನೇ ಪ್ರತಿವಾದಿಗೆ ಮಾರಾಟ ಮಾಡಿದ್ದಾರೆಂದರೆ ಸರಿ. ದಾವಾ ಆಸ್ತಿ 2 ನೇ ಪ್ರತಿವಾದಿಯ ಹೆಸರಿನಲ್ಲಿದೆ. ಎಂದರೆ ಇರಬಹುದು. ಈಗ 2 ನೇ ಪ್ರತಿವಾದಿ ದಾವಾ ಸ್ವತ್ತಿನ ಸ್ವಾಧೀನಾನುಭಾವದಲ್ಲಿದ್ದಾರೆಂದರೆ ಸರಿಯಲ್ಲ. ದಾವೆ ಕಾಲಕ್ಕೆ ದಾವಾ ಸ್ವತ್ತಿನಲ್ಲಿ ನಾವು ಸ್ವಾಧೀನದಲ್ಲಿದ್ದ ಬಗ್ಗೆ ನಮ್ಮ ಬಳಿ ದಾಖಲೆಗಳು ಇವೆ. ಸಾಕ್ಷಿ ಕಂದಾಯ ರಸೀದಿ, ಪಹಣಿಗಳನ್ನು ಹಾಜರು ಪಡಿಸಿದ್ದೇವೆ. ನಾವು ವ್ಯವಸಾಯವನ್ನು ಮಾಡುವುದಿಲ್ಲ ಎಂದರೆ ಸರಿಯಲ್ಲ. ಸ.ನಂ. 2 ರ ಆಸ್ತಿಯಲ್ಲಿ 3 ಮತ್ತು 4 ನೇ ಪ್ರತಿವಾದಿಯರು ಸ್ವಾಧೀನದಲ್ಲಿದ್ದಾರೆಂದರೆ ಸಾಕ್ಷಿ ಅವರಿಗೆ ಸೇರಿದ ಆಸ್ತಿಯಲ್ಲಿ ಇದ್ದಾರೆಂದು ಮಡಿಯುತ್ತಾರೆ. ಅವರ ಆಸ್ತಿ ದಾವಾ ಸ್ವತ್ತಿನ ಪಶ್ಚಿಮಕ್ಕೆ ಇದೆ. ಸಾಕ್ಷಿ ಪುನಃ ಉತ್ತರಕ್ಕೆ ಇದೆ ಎಂದು ಮಡಿಯುತ್ತಾರೆ. 2 ನೇ ಪ್ರತಿವಾದಿ 4 ನೇ ಪ್ರತಿವಾದಿಯ ಅಳಿಯ ಎಂದರೆ ನನಗೆ ಗೊತ್ತಿಲ್ಲ. 2 ರಿಂದ 4 ನೇ ಪ್ರತಿವಾದಿಯರು ಸ.ನಂ. 2 ರ ಪೂರ್ಣ ಆಸ್ತಿಯ ಸ್ವಾಧೀನ ಹೊಂದಿದ್ದಾರೆಂದರೆ ಸರಿಯಲ್ಲ. ನನ್ನ ತಾಯಿಯನ್ನು ಮನಿಯಮ್ಮ ಅಲಿಯಾಸ್ ಬೊಡಮ್ಮ ಎಂದು ಕರೆಯುತ್ತಾರೆ. ನಾನು ಸ.ನಂ. 44/1 ರ ಆಸ್ತಿಯನ್ನು ನೋಡಿಲ್ಲ. ಅದರ ವಿಸ್ತೀರ್ಣ ನನಗೆ ಗೊತ್ತಿಲ್ಲ. ನಿಜ 2 ಕ್ರಯ ಪತ್ರದಂತೆ ನನ್ನ ತಾಯಿ ಬೊಡಮ್ಮ ಸ.ನಂ. 44/1 ರ ಖಾತೆದಾರಳಾಗಿದ್ದಾಳೆ ಎಂದರೆ ಸರಿಯಲ್ಲ. ಆ ಬಗ್ಗೆ ಅರ್ ಬಿ ಸಿ ಗಳಲ್ಲಿ ನಮೂದನೆ ಇದೆ ಎಂದರೆ ಸರಿಯಲ್ಲ. ದಾವಾ ಸಲ್ಲಿಸಿದ ವರ್ಷ ದಾವಾ ಆಸ್ತಿಯಲ್ಲಿ ಹುರಳಿ ಮತ್ತು ಜೋಳ ಬೆಳೆದಿದ್ದವು. ಅದನ್ನು ನಮಗೆ ಗೊತ್ತಿರುವ ಮುನಿವೆಂಕಟಪ್ಪ ಬಿನ್ ನರಸಿಂಹಪ್ಪ ಎನ್ನುವವರಿಂದ ವ್ಯವಸಾಯ ಮಾಡಿಸಿದ್ದೇವು. 2008 ರಲ್ಲಿ ಜೋಳ ಬೆಳೆದಿದ್ದವು ಅದನ್ನು ಕೂಲಿ ಬೇಸಾಯ ಮಾಡಿಸಿದ್ದೇವು. 2007 ರಲ್ಲಿ ರಾಗಿ ಬೆಳೆದಿದ್ದೇವು. ಸ.ನಂ. 2 ರ ಆಸ್ತಿ ಕೃಷ್ಣಮೂರ್ತಿ ಎನ್ನುವವರಿಗೆ ಮರು ಮಂಜೂರಾತಿಯಾಗಿರುತ್ತದೆಂದರೆ ಗೊತ್ತಿಲ್ಲ. ಅದರಂತೆ ದಾವಾ ಆಸ್ತಿಯಲ್ಲಿ ಕೃಷ್ಣಮೂರ್ತಿಯವರೇ ಸ್ವಾಧೀನದಲ್ಲಿದ್ದರು ಎಂದರೆ ಸರಿಯಲ್ಲ. ಸದರಿ ಕೃಷ್ಣಮೂರ್ತಿರವರ ಹೆಂಡತಿ 1 ನೇ ಪ್ರತಿವಾದಿ ಎಂದರೆ ನನಗೆ ಗೊತ್ತಿಲ್ಲ. 1 ನೇ ಪ್ರತಿವಾದಿ ಅರುಮಾನಹಳ್ಳಿ ಮತ್ತು ಬೊಡುಗುರ್ಕಿಯಲ್ಲಿ ವಾಸಿಸುತ್ತಾರೆಂದರೆ ಸರಿಯಲ್ಲ. ಸದರಿ ಕೃಷ್ಣಮೂರ್ತಿಯವರಿಂದ 3 ನೇ ಪ್ರತಿವಾದಿ ಸದರಿ ಆಸ್ತಿಯನ್ನು ಖರೀದಿಸಿದ್ದಾರೆಂದರೆ ಸರಿಯಲ್ಲ. ಅನಂತರ 3 ನೇ ಪ್ರತಿವಾದಿಯೂ ತಹಸೀಲ್ದಾರ್ ರವರಿಗೆ ಅರ್ಜಿ ಸಲ್ಲಿಸಿದ್ದು ಅವರ ಹೆಸರಿಗೆ ದಾವಾ ಆಸ್ತಿ ಮರು ಮಂಜೂರಾತಿಯಾಗಿದೆ ಎಂದರೆ ಗೊತ್ತಿಲ್ಲ. ಸ.ನಂ. 2 ರ ಆಸ್ತಿಯನ್ನು ಖಾತೆ ಮಾಡುವಂತೆ ನಾವು ರೆವಿನ್ಯೂ ಅಧಿಕಾರಿಗಳಿಗೆ ಅರ್ಜಿ ಕೊಟ್ಟಿದ್ದೇವೆ. ಸ.ನಂ. 2 ರ ಆಸ್ತಿ ನಮಗೆ ಸೇರಿದ್ದು ಎನ್ನುವ ಬಗ್ಗೆ ರೆವಿನ್ಯೂ

ಸಾರಲುಕ್ಕಿ

(Signature)

ಇಲಾಖೆಯಿಂದ ನಮಗೆ ದಾಖಲೆಗಳನ್ನು ಕೊಟ್ಟಿದ್ದಾರೆ. ಸ.ನಂ. 2ರ ಸಂಬಂಧ ನಮ್ಮ ಹೆಸರಿಗೆ ಯಾವುದೇ
ರೇವಿನ್ಯೂ ದಾಖಲೆಗಳು ಇಲ್ಲ ಎಂದರೆ ಸರಿಯಲ್ಲ.

ಮುಂದುವರಿದ ಪಾಟೀ ಸವಾಲಿಗಾಗಿ ವಕೀಲರ ಕೋರಿಕೆ ಮೇರೆಗೆ ಮ.3 ಗಂಟೆಗೆ
ಮುಂದೂಡಲಾಯಿತು.

(ತೆರೆದ ನ್ಯಾಯಾಲಯದಲ್ಲಿ ನನ್ನ ಉಕ್ತ ಲೇಖನದಂತೆ ಗಣಕೀಕೃತ ಮಾಡಲಾಗಿದೆ).

ಪ್ರಧಾನ ಸಿವಿಲ್ ನ್ಯಾಯಾಧೀಶರು ಮತ್ತು ಹೆ.ಎಂ.ಎಫ್.ಸಿ.
(ಕೆ.ಎಂ.ಬಸವರಾಜಪ್ಪ)

ಪ್ರಧಾನ ಸಿವಿಲ್ ನ್ಯಾಯಾಧೀಶರು ಮತ್ತು ಹೆ.ಎಂ.ಎಫ್.ಸಿ.
ಬಂಗಾರಪೇಟೆ.

ಸಾಕ್ಷಿಯನ್ನು ದಿ 27.1.2015 ರಂದು ಮ.3 ಗಂಟೆಗೆ ಪುನಃ ಕರೆಸಿ ಪ್ರಮಾಣ ಮಾಡಿಸಲಾಯಿತು.
ಮುಂದುವರಿದ ಪಾಟೀ ಸವಾಲು : ಶ್ರೀ ಕೆ ಆರ್ ಎಸ್ ಹೆಚ್ ವಕೀಲರಿಂದ:

ಪ್ರತಿವಾದಿಯರು ನಮ್ಮೊಂದಿಗೆ ಯಾವತ್ತೂ ಗಲಾಟೆ ಮಾಡಿಲ್ಲ. ಪ್ರತಿವಾದಿಯರಿಗೆ ತೊಂದರೆ
ಕೊಡಲು ಸುಳ್ಳು ದಾವೆ ಸಲ್ಲಿಸಿದ್ದೇನೆಂದರೆ ಸರಿಯಲ್ಲ.
ಮರು ವಿಚಾರಣೆ : ಇಲ್ಲ

(ತೆರೆದ ನ್ಯಾಯಾಲಯದಲ್ಲಿ ನನ್ನ ಉಕ್ತ ಲೇಖನದಂತೆ ಗಣಕೀಕೃತ ಮಾಡಲಾಗಿದೆ).

ಪ್ರಧಾನ ಸಿವಿಲ್ ನ್ಯಾಯಾಧೀಶರು ಮತ್ತು ಹೆ.ಎಂ.ಎಫ್.ಸಿ.
(ಕೆ.ಎಂ.ಬಸವರಾಜಪ್ಪ)

ಪ್ರಧಾನ ಸಿವಿಲ್ ನ್ಯಾಯಾಧೀಶರು ಮತ್ತು ಹೆ.ಎಂ.ಎಫ್.ಸಿ.
ಬಂಗಾರಪೇಟೆ.

ತೆರೆದ

IN THE COURT OF THE HON'BLE PRINCIPAL CIVIL
JUDGE: AT BANGARPET

O.S.No.101/2009

Plaintiff : Smt.Muniyamma @ Bodemma

Vs/

Defendants: Smt.Rukminiyamma and 3 others

EXAMINATION-IN-CHIEF BY WAY OF AFFIDAVIT

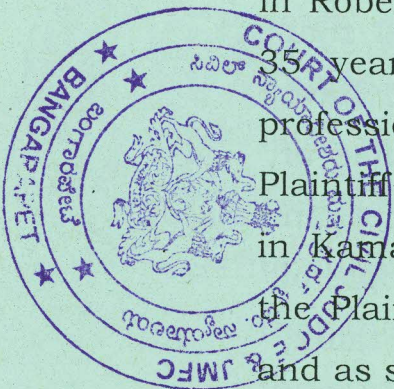
- | | | | |
|-------------------|---|--|------|
| 1.Name | : | Rukminiyamma | DW:1 |
| 2. Husband's name | : | late Krishnamurthy | |
| 3.Age | : | 71 years | |
| 4.Occupation | : | Agriculturist | |
| 5.Residence | : | Bodagurki village, Kamasamudra
hobli, Bangarpet taluk | |

30/6
JUDGE (Jr. Dn.) & J.M.P.
Bangarpet.

I, Rukminiyamma W/o late Krishnamurthy, aged about 71 years, Agriculturist, R/o Bodagurki village, Kamasamudra hobli, Bangarpet taluk, the 1st defendant above named do hereby solemnly state on oath and affirm as follows.

*copy received.
Adv. for P.P.
J. Z.B.
K.P.P.*

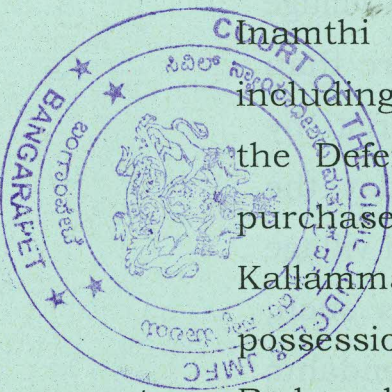
1. I humbly submit that, I know the other Defendants and I know the plaintiff subsequent to filing of the suit by Plaintiff in O.S.126/2007 on the file of this Hon'ble Court only. I came to know that the Plaintiff is a vokkaliga by caste and a permanent resident of Dasarahosahalli village in Robertsonpet hobli, Bangarpet taluk for last more than 35 years and the Plaintiff is not an agriculturist by profession and at no point of time and up to today the Plaintiff was not and is not residing at Aramanahalli village in Kamasamudram hobli, Bangarpet taluk, and as such, the Plaintiff is a stranger to myself and other Defendants and as such the Plaintiff has absolutely no manner of right, title, interest or possession whatsoever to the Suit schedule property and it is myself who was the absolute owner in



du gēē dūē

My eeeeeee

actual possession and enjoyment of the Suit schedule property raising crops therein and apart from myself none others including the Plaintiff have absolutely no manner of right, title, interest or possession whatsoever to the Suit schedule property and myself being the owner in possession and enjoyment of the Suit schedule property for my family and legal; necessity sold the Suit schedule property in favour of 2nd Defendant under a duly registered sale deed dated 4/2/2008 for Rs.45,000/- and handedover the possession of the Suit schedule property in favour of the 2nd Defendant and from the date of registered sale deed dated 4/2/2008, it is the 2nd Defendant that is in actual possession and enjoyment of the Suit schedule property and apart from the 2nd Defendant none others including the Defendants 3 and 4 and the Plaintiff have absolutely no manner of right, title, interest or possession whatsoever to the Suit schedule property. I humbly submit that the Defendants 3 and 4 are the absolute owners in actual possession and enjoyment of 1 acre 16 ½ guntas of land in Sy.No.2 of Aramanahalli village, Kamasamudram hobli, Bangarpet taluk, which is on the northern side of the Suit schedule property and I humbly submit that the total extent of land bearing Sy.No.2 of Aramanahalli village, Kamasamudram hobli, Bangarpet taluk, was shanubogue Inamthi land and it is measuring 2 acres 23 guntas including 0-01 gunta of karab and I humbly submit that the Defendants 3 and 4 being husband and wife have purchased 1 acres 16 ½ guntas of land in the name of Kallamma on 3/7/1974 from its previous owner in possession Sri.Krishnamurthy S/o late Narayanappa of Bodagurki village, Kamasamudram hobli, Bangarpet taluk, and the remaining 1 acre 6 ½ guntas of land was sold by myself in favour of 2nd Defendant under the registered sale

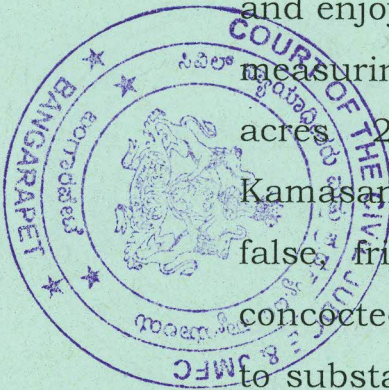


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deed dated 4/2/2008 for Rs.45,000/- and prior to the sale of the Suit schedule property by myself in favour of 2nd Defendant dated 4/2/2008, it was myself that was the exclusive and absolute owner in actual possession and enjoyment of the Suit schedule property and enjoying the same in my own right, title, interest and after myself sold the Suit schedule property in favour of the 2nd Defendant under the registered sale deed dated 4/2/2008, it is the 2nd Defendant that is the absolute owner and in possession and enjoyment of the Suit schedule property raising crops therein and the katha and mutation of the Suit schedule property has also been transferred to the name of 2nd Defendant and another 1 acre 16 ½ guntas of land belonging to 3rd Defendant the katha and mutation and record of right, geni, pahani patrike has also been transferred in the name of 3rd Defendant and the Defendants 3 and 4 are also agriculturists by profession eking out their livelihood by doing agriculture.

2. I humbly submit the allegations made by the Plaintiff in para 2 of the plaint to the effect that the Plaintiff is the alleged absolute owner and in alleged physical possession and enjoyment of the property bearing Sy.No.2 alleged to be measuring to an extent of 1 acre 16 ½ guntas, out of 2 acres 24 guntas situated at Aramanahalli village, Kamasanudram hobli, Bangarpet taluk are all absolutely false, frivolous, baseless, untenable in law and are all concocted by the Plaintiff in order to harass us and put us to substantial loss, injury and hardship. I humbly submit that the schedule given to the Suit schedule property and the survey number given to the Suit schedule property and the boundaries given to the Suit schedule property by the

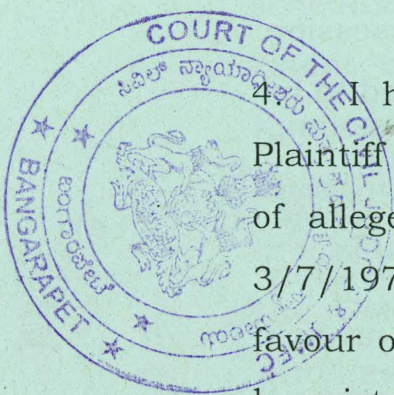


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Plaintiff are all false frivolous and untenable in law and are all concocted by the Plaintiff in order to knock of the Suit schedule property belonging to 2nd Defendant.

3. I humbly submit the allegations made by the Plaintiff in para 3 of the plaint to the effect that the Plaintiff purchased the Suit schedule property through the alleged registered sale deed dated 3/7/1974 for alleged valuable consideration from one alleged B.N.Ramaiah S/o Narayanappa and from the date of the alleged purchase of the Suit schedule property the Plaintiff is in alleged peaceful possession and enjoyment over the Suit schedule property are all absolutely false, frivolous, baseless and untenable in law and are all concocted by the Plaintiff in order to harass the 2nd Defendant who is the absolute owner and in actual possession and enjoyment of the Suit schedule property and the alleged document relied upon that is alleged sale deed dated 3/7/1974 is a false, forged, fraudulent, concocted and manipulated document concocted by the Plaintiff in order to harass us and as such, no reliance can be placed by this Hon'ble Court on the alleged sale deed alleged to be dated 3/7/1974.



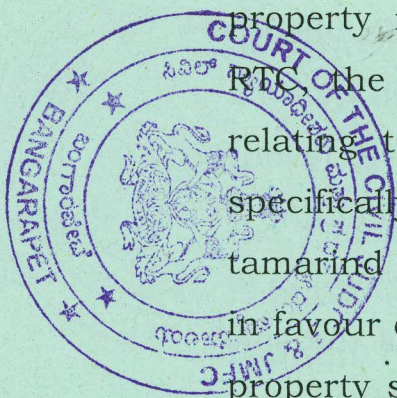
4. I humbly submit that the allegations made by the Plaintiff in para 4 of the plaint to the effect that at the time of alleged drafting of aforesaid alleged sale deed dated 3/7/1974 alleged to have been executed by Ramaiah in favour of Plaintiff in respect of the Suit schedule property by mistake the survey number was wrongly written in the said sale deed as Sy.No.44 instead of Sy.No.2 of Aramanahalli village, Kamasamudram hobli, Bangarpet taluk, but in the alleged sale deed the alleged boundaries are specifically and clearly mentioned to identify the alleged

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property and the said boundaries are referred to schedule property that is portion of Sy.No.2 and the same is tallies to the alleged said survey number and the further allegations made by the Plaintiff in para 4 of the plaint to the effect that there is no property bearing Sy.No.44, belonging to the alleged family of Ramaiah that is vendor of alleged Plaintiff and as it is clear that the alleged property sold under the alleged sale deed dated 3/7/1974 is nothing but survey No.2 that is the schedule property and all other allegations made by the Plaintiff in para 4 of the plaint are all absolutely, frivolous, baseless, untenable in law and are all concocted by the Plaintiff in order to harass us and to put us to substantial loss, injury and hardship.

5. I humbly submit that the allegations made by the Plaintiff in para 5 of the plaint to the effect that at the alleged sale deed dated 3/7/1974, the alleged vendor of the Plaintiff has also sold one alleged tamarind tree which was situated in the schedule property and the alleged vendor of the Plaintiff alienated the schedule property along with one alleged tamarind tree and the same is specifically recited in the alleged sale deed dated 3/7/1974 and the alleged existence of alleged one tamarind tree in the schedule property ie., in Sy.No.2 also evidences from the alleged RTC, the alleged period and in alleged Col.No.7 of RTC., relating to sy.No.2 that is the schedule property, it is specifically mentioned that the alleged existence of one tamarind tree at the time of alleged execution of sale deed in favour of the Plaintiff and this fact further prove that the property sold under the alleged sale deed dated 3/7/1974 in favour of Plaintiff is Sy.No.2 and not Sy.No.44 are all absolutely false, frivolous, baseless and untenable in law and no reliance can be placed on it.

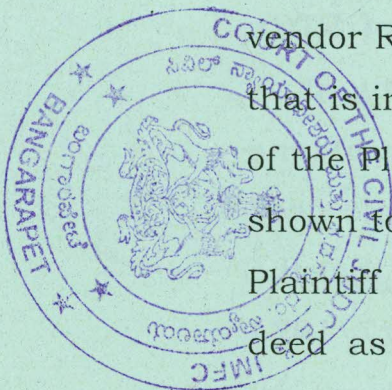


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6. I further humbly submit that the allegations made by the Plaintiff in para 6 of the plaint to the effect that the 3rd Defendant is the purchaser of the remaining extent in Sy.No.2 and the same is purchased through registered sale deed dated 3/7/74 and the 3rd Defendant has purchased remaining extent of land in Sy.No.2 from one Krishnamurthy is true and correct and I humbly submit that the other portion of the Suit schedule property sold by myself in favour of 2nd Defendant continued to be in my possession until I sold the Suit schedule property in favour of 2nd Defendant under the registered sale deed dated 4/2/2008 and the further allegations made by the Plaintiff to the effect that the sons of Narayanappa namely Ramaiah and Krishnmurthy by dividing survey No.2 between themselves have alienated their alleged share in Sy.No.2 in favour of the Plaintiff and 3rd Defendant and the aforesaid Ramaiah has alienated his alleged property in favour of alleged Plaintiff are all absolute false, frivolous, baseless and untenable in law.

7. I humbly submit that the further allegations made in para 7 of the plaint to the effect that in the aforesaid sale deed dated 3/7/1974 executed by my husband in favour of 3rd Defendant the alleged property of the Plaintiff's alleged vendor Ramaiah is shown towards southern side in Sy.No.2 that is in the sale deed dated 3/7/1974 executed in favour of the Plaintiff the share purchased by the 3rd Defendant is shown towards northern side in Sy.No.2 and the vendors of Plaintiff and 3rd Defendant have signed to each of the sale deed as alleged witnesses by confirming the alleged sale and my husband Krishnamurthy has also signed as witness to the alleged sale deed executed in favour of the Plaintiff and the 4th Defendant who is the husband of 3rd

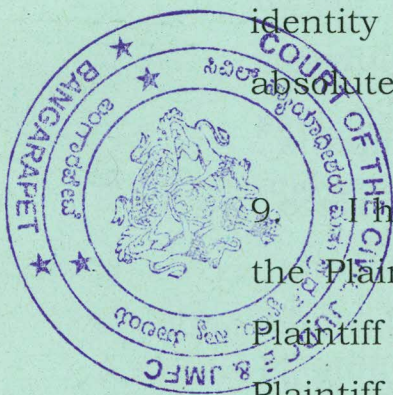


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Defendant has also signed as witness to the alleged sale deed in favour of the Plaintiff are absolutely false, frivolous, baseless and untenable in law and I humbly submit that the Sy.number mentioned in the sale deed of the alleged Plaintiff is quite different from the sale deed executed in favour of 3rd Defendant and they are quite different Sy.numbers and the Plaintiff by misrepresenting the facts has filed this false and frivolous suit against us.

8. I humbly submit that the further allegations made in para 8 of the plaint by the Plaintiff to the effect that the alleged documents produced therein makes it clear that the alleged property sold in favour of Plaintiff is part of definite Survey number ie., Sy.No.2 and in the said sale deed exact boundaries of the part sold in Sy.No.2 are given and while writing the alleged Sy.number in the alleged sale deed it is wrongly written as Sy.No.44 instead of Sy.No.2 but the boundaries are all referred to sy.No.2 and in both the sale deeds referred herein above the Akar of Sy.No.2 is assessed at Rs.2-00 and all these facts and documents makes it clear that the alleged property sold to the Plaintiff under the alleged sale deed dated 3/7/1974 is part of sy.No.2 and mere description of Sy.number does not affect the alleged identity of the property sold to the Plaintiff are all absolutely false, frivolous, baseless and untenable in law.



9. I humbly submit that the further allegations made by the Plaintiff in para 9 of the plaint to the effect that the Plaintiff has got one daughter by name Gowramma and the Plaintiff has no male issues except the fact that she is having a daughter by name Gowramma and the other allegation made by the Plaintiff that she is paying tax to the concerned authority in respect of the schedule property are

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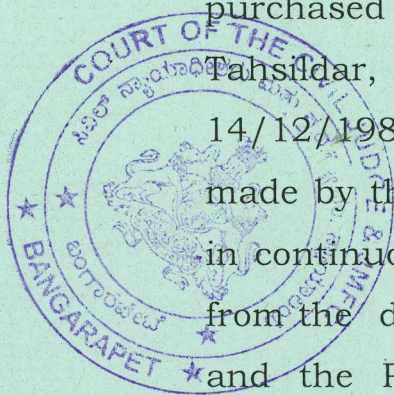
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all absolutely false, frivolous, baseless and untenable in law.

10. I humbly submit the further allegations made by the Plaintiff in para 10 of the plaint to the effect that originally the land bearing Sy.No.2 was Shanubhoge Inam land attached to Aramanahalli village, Kamasamudram hobli, Bangarpet taluk is true and correct. The further allegations made by the Plaintiff that after death of Narayanappa his son Ramaiah has succeeded the said service and he became the office holder of Aramanahalli village, and the said Ramaiah sold his share in Sy.No.2 to the Plaintiff and Plaintiff name has entered in RTC in Col.No.9 are all absolutely false, frivolous, baseless and untenable in law.

11. I humbly submit that the further allegations made in para 11 of the plaint to the effect that the schedule property was re granted in favour of Plaintiff alienor are all absolutely false, frivolous, baseless and untenable in law.

12. I humbly submit that the further allegations made in para 12 of the plaint to the effect that the property purchased by the 3rd Defendant was regranted by the Tahsildar, Bangarpet taluk in case No.INA.63/78-79 dated 14/12/1987 is true and correct. The further allegations made by the Plaintiff in the same para that the Plaintiff is in continuous possession over the schedule property since from the date of alleged purchase of the schedule property and the Plaintiff is personally cultivating the schedule property and raising crops like ragi, groundnut etc., and the alleged tamarind tree which was alleged to be in existence in the alleged schedule property became very old and naturally fell down as alleged in para 13 and the further allegation made in para 14 that when facts stood



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then all of a sudden myself has started to interfere with the alleged Plaintiff's peaceful possession and enjoyment over the schedule property and that on 2/7/2007 myself has made an attempt to trespass into the schedule property and made attempts to dispossess the Plaintiff from the Suit schedule property and the further allegations made in para No.15 that the Plaintiff is uneducated, illiterate and innocent lady and she has no male support in the locality are all absolutely false, frivolous, baseless and untenable in law.

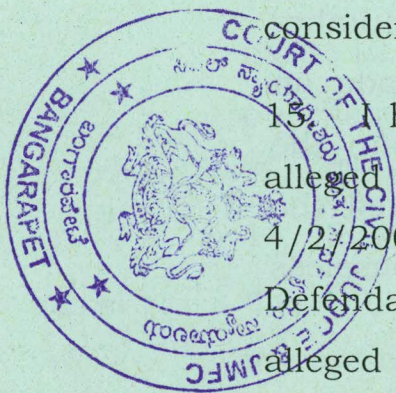
13. I humbly submit that the further allegations made by the Plaintiff in plaint to the effect that myself and other Defendants are making false and frivolous claim over the entire extent of the schedule property claiming that we are the owners of the schedule property and that the 2nd Defendant taking advantage of the alleged sale deed standing in his name is trying to interfere with the alleged Plaintiff's peaceful possession and enjoyment of the schedule property by colluding with Defendants 1,3 and 4 on 9/4/2009 at about 9-00 am., along with large number of henchmen near the schedule property and made an illegal attempts to dispossess the Plaintiff from the schedule property and however the Plaintiff resisted the said illegal act are all absolutely false, frivolous, baseless and untenable in law.

14. I humbly submit that on the complaint given by the Plaintiff to the Kamasamudram police against us, the Kamasamudram police sought for clarification from the Tahsildar, Bangarpet taluk, as to who is in possession and enjoyment of the Suit schedule property and the Tahsildar, Bangarpet taluk after holding detailed enquiry in to the

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matter and further the revenue authorities namely the village accountant and the Revenue Inspector after inspecting the Suit schedule property have submitted their report to the Tahsildar stating that it is the 2nd Defendant is in absolute possession and enjoyment of the Suit schedule property and all documents, title and possession are standing in the name of 2nd Defendant and on the basis of that the Tahsildar submitted his report to the Sub Inspector of Police, Kamasamudram Police station on 17/8/2009, vide No. RRT(KA) CR 22/2009-10 stating that it is the 2nd Defendant who is the absolute owner in actual possession and enjoyment of the Suit schedule property and all revenue documents are standing in the name of 2nd Defendant and the Tahsildar in his report to the Sub-Inspector of Police, Kamasamudram Police Station informed the said Sub-Inspector of police to give police protection to the 2nd Defendant and we have produced all the entire proceedings and the report of the Tahsildar, Bangarpet taluk, dated 17/8/2009 in his No. RRT(KA) CR 22/2009-10 to give police protection to the 2nd Defendant for kind consideration of this Hon'ble Court.



15. I humbly submit that the alleged cause of action as alleged by the Plaintiff to file the suit was arose on 4/2/2008 when I executed sale deed in favour of 2nd Defendant and on 3/7/1974 and the alleged Plaintiff alleged to have purchased the Suit schedule property and when the Suit schedule property is regranted on 9/5/2009 and when myself and other Defendants made an illegal attempt to dispossess the Plaintiff from the alleged schedule property and thereby denying alleged Plaintiff's title by interfering with the alleged Plaintiff's possession over the Suit schedule property are all absolutely false, frivolous, baseless and untenable in law.

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16. I humbly submit that the Plaintiff has not at all purchased any land in Sy.No.2 of Aramanahalli village in Kamasamudram hobli, Bangarpet taluk at any time and when the Plaintiff has no title or possession over the schedule property, the Plaintiff at the instigation of persons who are enigmically disposed off towards us in order to harass us has filed this false and frivolous suit against us which is liable to be dismissed by this Hon'ble Court as not maintainable in law.

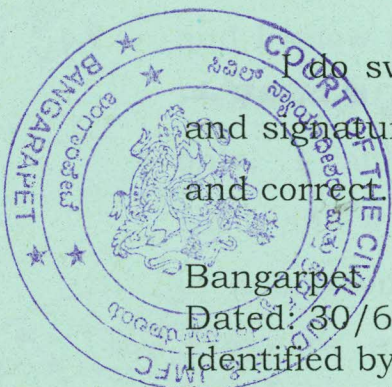
17. I humbly submit that the plaintiff is not entitled for any of the reliefs he has prayed for in the plaint.

18. I humbly submit that the written statement filed by myself and other Defendants may kindly be read as part and parcel of this affidavit.

19. I humbly submit that the documents produced by us may kindly be marked as exhibits on our side.

Wherefore in the interest of justice and equity I pray and swear that this Hon'ble court may be pleased to dismiss the plaintiff's suit with our exemplary costs.

I do swear in the name of God that this is my name and signature and the contents of this my affidavit are true and correct



Bangarpet

Dated: 30/6/2015

Identified by me

Shabbir Hussain
Advocate

[Signature]
1st Defendant/Deponent

SWORN TO BEFORE ME

[Signature]
Civil Judge (Jr. Dn.)
J.M.F.C. Court
Bangarpet

[Signature]

ನನ್ನ ಮುಖ್ಯ ವಿಚಾರಣೆಯನ್ನು ಪ್ರಮಾಣ ಪತ್ರದ ಮೂಲಕ ನ್ಯಾಯಾಲಯಕ್ಕೆ ಸಲ್ಲಿಸುತ್ತಿದ್ದೇನೆ. ಅದರಲ್ಲಿರುವ ಸಂಗತಿಗಳು ಸತ್ಯವಾಗಿ ಮತ್ತು ಸರಿಯಾಗಿರುತ್ತದೆ. ಅದಕ್ಕೆ ನಾನು ಸಹಿ ಮಾಡಿರುತ್ತೇನೆ.

(ಈ ರೀತಿ ಪ್ರಾಣಿಗಳಿಂದಲೂ ಜನ್ಮ ಪಡೆದ ರಾಕ್ಷಸರುಗಳ ಗಣಕಕ್ಕೂ ಪಾಟಲಾಗಿದೆ).

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参考文献

ಪಂದ್ಯದ ಸಂದರ್ಭದಲ್ಲಿ: ೪೦ ಕ್ಕಿಂತ ಹೆಚ್ಚು ವೇಗದಲ್ಲಿ

3 ಅರ್ ಬಿ ಸಿ ಗಳನ್ನು ಹಾಜರು ಪಡಿಸಿದ್ದು ಅದನ್ನು ನಿಡಿ 1 ರಿಂದ 3 ಎಂದು, 2 ಹಕ್ಕು ಬದಲಾವಣೆ ವಹಿಗಳನ್ನು ನಿಡಿ 4 ಮತ್ತು 5 ಎಂದು, ದಿ 4.2.2008 ರ ಕ್ರಯ ಪತ್ರವನ್ನು ನಿಡಿ 6 ಎಂದು, ತಹಸೀಲ್ದಾರ್ ರವರು ಫೈಲೀಸರಿಗೆ ನೀಡಿದ ವರದಿಯ ಪ್ರತಿಯನ್ನು ನಿಡಿ 7 ಎಂದು, ತೆರಿಗೆ ಪಾವತಿ ರಸೀದಿಯನ್ನು ನಿಡಿ 8 ಎಂದು ಗುರುತಿಸಲಾಯಿತು.

(06.01.2019, 07.01.2019, 08.01.2019, 09.01.2019, 10.01.2019, 11.01.2019, 12.01.2019, 13.01.2019, 14.01.2019, 15.01.2019, 16.01.2019, 17.01.2019, 18.01.2019, 19.01.2019, 20.01.2019, 21.01.2019, 22.01.2019, 23.01.2019, 24.01.2019, 25.01.2019, 26.01.2019, 27.01.2019, 28.01.2019, 29.01.2019, 30.01.2019, 31.01.2019)

ਵਿਕਾਸੀ ਸੰਸਾਰ

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THE UNIVERSITY OF CHICAGO

Date		Time		Location		Weather		Wind		Sea		Visibility		Remarks	
Day	Month	Hour	Minute	Lat	Long	Temp	Humid	Dir	Force	Height	Direction	Distance	Direction	Distance	
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2	1	12	00	10° 00' N	105° 00' E	28.0	85	101	10	1.5	100	10	100	10	
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