

KAMD310035572022



**IN THE COURT OF THE I ADDITIONAL CIVIL JUDGE &
JMFC AT MADDUR.**

:: PRESENT ::

**SMT. PARVATHI C.M., B.A.L, L.L.B.,
I Addl. Civil Judge & JMFC, MADDUR.**

Dated this the 02nd day of April 2026

O.S. No. 543/2022

PLAINTIFF:-

Smt. H.S.Bhagyamma,
W/o Late. Narasaiah,
Aged about 62 years,
R/at Nagawara Village,
Kasaba Hobli, Channapattana
Taluk, Ramanagara District.

(By S.V.S., Advocate)

V/S

DEFENDANTS:-

- 1. Smt. Lalithamma,**
D/o Late. D.Siddaiah,
Aged about 59 years,
- 2. Smt. Manjula,**
D/o Late. D.Siddaiah,
Aged about 52 years,

Both are R/at Nagawara Village,
Kasaba Hobli, Channapattana
Taluk, Ramanagara District.

3. Smt. Suvarna K,
W/o Late. H.S Rajashekhara,
Aged about 49 years,

4. Smt. Pooja,
D/o Late. H.S.Rajashekhara,
Aged about 24 years,

5. Prajwal,
S/o Late. H.S Rajashekhara,
Aged about 20 years,

D.3 to 5 are R/at Hemmanahalli
Village, Athaguru Hobli, Maddur
Taluk.

(D.1 and 2 By M.J.S., Advocate)
(D.3 to 5 By Y.M.M., Advocate)

Date of institution of the suit	28.09.2022		
Nature of the suit	PARTITION AND SEPARATE POSSESSION		
Date on which the Judgment is pronounced	02.04.2026		
Total Duration	Year	Month	Days
	03	06	05

(SMT. PARVATHI C.M)
I Addl. Civil Judge, Maddur.

JUDGMENT ON ADMISSION

The plaintiff has filed the present suit for seeking the relief of partition and separate possession against the defendants in respect of suit schedule properties.

2. The brief fact of the plaintiff case is hereunder:

It is the case of the plaintiff that, the suit schedule properties are ancestral and joint family properties of plaintiff and defendants. Hence the plaintiff has filed the present suit for the relief of partition and separate possession in the suit schedule properties.

3. In response to the service of suit summons, the defendants have appeared before the court through their respective counsels and also defendant No.1 and 2 were filed the written statement and prays to decreed the suit as prayed by the plaintiff.

4. In this case the plaintiff has submitted that she is the daughter of one D.Siddaiah and defendant No.1 and 2 were daughter of D.Siddaiah and husband of defendant No.3 by name H.S Rajashekara is son of D.Siddaiah and defendant No.4 and 5 are the children of deceased H.S Rajashekara. The

husband of defendant No.3 has managing the joint family affairs till his death and also katha of suit schedule properties are standing in the name of defendant No.3. But the defendants were denied the share of the plaintiff, hence the plaintiff has filed the present suit for the relief of partition and separate possession of the suit schedule properties. In this case the defendant No.1 and 2 who are sisters of plaintiff, were submitted that the suit of the plaintiff may be decreed as prayed by plaintiff and the defendant No.3 to 5 were appeared the court through their counsel, but they are not filed written statement. Hence I have perused the documents which are produced by the plaintiff for the above relief it is appears that the suit schedule properties were mutated in the name of one D.Siddaiah as per MR No.20/1983-84, but the RTC in regarding to possession of that properties to an extent of 31 guntas in Sy No.64 by the plaintiff and defendants is not produced. After mutation in regarding to Sy No.64 to show the existence of properties to an extent of 31 guntas from 1983-84 to till date of filing of suit the plaintiff has not produced any documentary evidence to show the existence of properties to an extent of 31 guntas. Because the E-katha was stands in the name of defendant No.3 to an extent of 9.144x14 meters in property No.4 in grama tana property and there is no documents were reveals in respect to Sy No.64 which is shown as a suit property by the plaintiff except photos and E-katha.

Hence the plaintiff is not proved in respect to existence of properties by producing documentary evidence. Therefore she is not entitle for share in the suit schedule properties. Hence this court comes to conclusion and proceed to pass the following;

ORDER

The suit of the plaintiff is hereby
dismissed with cost.

Draw decree accordingly.

*((Dictated to the stenographer, transcribed by him, corrected and then
pronounced by me in the open court on this the **02nd day of April 2026**)*

(SMT. PARVATHI C.M)
I Addl. Civil Judge, Maddur.