

IN THE COURT OF THE SENIOR CIVIL JUDGE AND J.M.F.C.
AT PANDAVAPURA

O.S.No.30/2022

PLAINTIFF :- C.H.Varalakshmi.

V/s

DEFENDANTS :- Hemavathi and others.

ISSUES

1. Whether the plaintiff proves that she herself and defendants are constituted the Hindu undivided joint family and suit schedule properties are joint family properties of plaintiff and defendants as averred in the plaint?
2. Whether the plaintiff proves that the registered partition deed dated 21/10/1999 created behind the back of plaintiff, the said partition deed is not binding on her share?
3. Whether the plaintiff further proves that subsequently the defendant No.1 to 3 have created the registered partition deed dated 25/08/2014 and on 03/09/2014 behind the back of plaintiff, hence the said partition deeds are not binding on the plaintiff's share?
4. Whether the plaintiff further proves that the defendant No.3 created gift deed dated 31/03/2017 in favour of defendant No.2 and release deed dated 05/09/2020 from defendant No.10 to defendant No.12 behind the back of plaintiff, the said deeds are not binding on the share of plaintiff?
5. Whether the defendant No.3 proves that as on the date of filing of this suit by the plaintiff, there is no joint family or joint family status among the members of the family?

6. Whether the defendant No.2 & 3 prove that the joint family had divided all their ancestral and joint family properties through registered partition deed dated 21/10/1999 between one Thimmegowda, C.H.Prakash, C.H.Krishnegowda and C.H.Lokesha as contended in their written statement para-29?
7. Whether the defendant No.3 further proves that in view of the registered partition deed taken place between Thimmegowda, C.H.Prakash, C.H.Krishnegowda and C.H.Lokesha dated 21/10/1999 which is much prior to 20/12/2004, the plaintiff has no right either to question the said partition deed or to claim any relief in respect of the partition deed as contended in para-32 of his written statement?
8. Whether the defendant No.3 further proves that as per the partition deed dated 25/08/2014 the father of defendant No.3 C.H.Thimmegowda had executed registered gift deed dated 31/03/2017 and he is the absolute owner of said property as contended in para-41 of his written statement?
9. Whether the defendant No.3 further proves that the item No.11 of 'C' schedule property is absolute and Stridhana property of defendant No.1 as contended in his written statement para-59?
10. Whether the defendant No.3 proves that the item No.12 of 'C' schedule property is the absolute property of defendant No.2 as contended in his written statement para-60?

11. Whether the defendant No.2 proves that the present suit is not maintainable for want of necessary parties and non inclusion of all properties?
12. Whether the plaintiff proves that she is entitled to get 1/9th share in all suit schedule properties as sought in her plaint?
13. What order or decree?

Issues framed and pronounced in the open court on this 21st day of September 2024.

(R.MAHESHA)
Senior Civil Judge and JMFC.,
Pandavapura.