

**DECREE**

**IN THE COURT OF THE JUDGE, ADDL. SMALL CAUSES  
AND SENIOR CIVIL JUDGE, MYSURU.**

**O.S. No. 128 / 2004**  
**(Old O.S.No.566/2009)**

**Plaintiff/s** : Sri. A.R. Chinthamani,  
S/o Late A.M. Ramachandran,  
Aged about 48 years, Major.  
Residing at Arayamparambil  
House, Odapallam Road, P.O.  
Moolanakave,  
S. Battery, Wynad District,  
Kerala State.  
By his General Power of Attorney  
Holder Sri. B.N. Vrushabhendra.  
**Dead by L.Rs.,**

**1(a)** Smt. Saramma, T. Koshy,  
Aged about 63 years,  
W/o Late A.R. Chinthamani.

**1(b)** Smt. Meera,  
Aged about 34 years,  
D/o Late A.R. Chinthamani.

**1(c)** Manu,  
Aged about 29 years,  
S/o Late A.R. Chinthamani.

All are residing at Arayamparambil  
House, Odapallam Road, P.O.  
Moolanakave, S. Battery, Wynad  
District, Kerala State.

// Vs //

**Defendant/s** : **[01]** Sri. V. Srinivas,  
S/o Late S. Venkataramaiah,  
Aged about 55 years,  
Residing at Door No.909/176,  
Sarvajanika Hostel Road,  
Vidyaranyaapuram, Mysuru.  
**Dead by L.Rs.,**

**1(a)** Smt. Padmavathamma,  
M/o Late Srinivas,  
Aged about 85 years.

**1(b)** Smt. Manjula,  
W/o Late Srinivas,  
Aged about 57 year.

**1(c)** Sri. S. Ravi Kumar,  
S/o Late Srinivas,  
Aged about 37 years.

**1(d)** Sri. S. Prashanth,  
S/o Late Srinivas,  
Aged about 31 years.

**1(e)** Smt. S. Shobha,  
D/o Late Srinivas,  
Aged about 33 years.

All are residing at No.909/176,  
Sarvajanika Hostel road,  
Vidyaranyaapuram, Mysuru.

**[02]** Sri. Elangovan,  
S/o D. Annamalai,  
Aged about 40 years, Major.  
R/at Door No.G/5, 1027, CH.23,  
Nisargadhama Apartments,  
Jayalakshmi Road, Mysuru.

**[03]** Sri. V. Nanjundaswamy,  
S/o Late Veerappa,  
Aged about 40 years, Major.  
Residing at Chikkadevaragudi,  
Kanchikere Post, K.R. Nagar  
Taluk, Mysuru District.

**[04]** Sri. Manomohan Lal,  
S/o Late A.M. Ramachandran,  
Aged about 70 years, Major,  
Residing at Arayamparambil  
House, Kodapulli Temple Road,  
Kizhakummari Post,  
Peringotukara, Trichur District,  
Kerala State – 680571.

**[05]** Smt. Ningamma,

W/o Late Sanne Gowda,  
Aged about 65 years, Major.  
R/at Parasaiahana Hundi Village,  
Srirampura, Kasaba Hobli,  
Mysuru Taluk.

- [06]** Sri. Putta @ Puttegowda,  
S/o Late Sanne Gowda,  
Aged about 44 years,  
R/at Parasaiahana Hundi Village,  
Srirampura, Kasaba Hobli,  
Mysuru Taluk.
- [07]** Smt. Ningamma,  
W/o Late Puttaiah @ Putte Gowda,  
Aged about 70 years, Major.  
R/at Parasaiahana Hundi Village,  
Srirampura, Kasaba Hobli,  
Mysuru Taluk.
- [08]** Smt. Shivamma,  
D/o Late Puttegowda &  
Smt. Ningamma,  
Aged about 50 years.  
R/at Parasaiahana Hundi Village,  
Srirampura, Kasaba Hobli,  
Mysuru Taluk.
- [09]** Tahasildar,  
Mysuru Taluk,  
Mysuru.
- [10]** Assistant Director of Land  
Records, Mysuru Sub-Division,  
Mysuru.
- [11]** State of Karnataka,  
Vidhana Soudha,  
Bengaluru.  
By its Chief Secretary.

SUIT CLAIM:- Originally the plaintiffs filed this suit on 08-10-2009 and transferred to this Court on 17.06.2014 and the plaintiffs pray that this Hon'ble court be pleased to pass Judgment and Decree in

favour of the plaintiffs and against the defendants for Declaration that the Survey number of agricultural land purchased by Sri Manmohan Lal, the 3<sup>rd</sup> defendant from Sri Sanne Gowda, Smt. Ningamma and Sri Putte Gowda @ Putta vide Registered Sale Deed dated 21.03.1980 and settled in favour of the plaintiff by Sri Manmohan Lal vide Settlement Deed dated 02.11.1987 is land bearing Sy.No.197/2 and shown in RTC as 197/2a and not 197/1b as stated and described in the Sale Deed dated 21.03.1980 and Settlement dated 02.11.1987, to declare that the Sale Deed dated 13.04.2005 executed by defendant No.1 in favour of defendant No.2 with respect to suit schedule property is not binding on the plaintiff, to declare that the Sale Deed dated 11.08.2005 executed by defendant No.2 in favour of defendant No.3 with respect to suit schedule property is not binding on the plaintiff, to declare that the Sale Deed dated 15.06.1990 executed by Smt. Ningamma and Smt. Shivamma the 7<sup>th</sup> and 8<sup>th</sup> defendants herein in favour of defendant No.1 with respect to land bearing Sy.No.97/2 and shown in RTC as 197/2a is not binding on the plaintiff, to declare that the plaintiff is the absolute owner of the land bearing Sy.No.197/2 and shown in RTC as Sy.No.197/2a by virtue of Sale Deed dated 21.03.1980 and Settlement Deed dated 02.11.1987 to an extent of 31 guntas and for permanent injunction to restrain the defendants from interfering with the suit schedule property with cost and such other reliefs that the Hon'ble Court deems fit to grant in the interest of justice and equity.

This suit coming on this the 17<sup>th</sup> day of February 2020 for final disposal before Sri. Vijeth V., B.A.L., LL.B., Judge, Addl. Court of Small Causes and Senior Civil Judge, Mysuru, in the presence of Sri. A.V. Jayarama Rao, Advocate for the Plaintiffs, Sri. K. Ishwar Bhat, Advocate for Defendants No.1(b) and D1(c), Sri. T.N. Ramesh,

Advocate for Defendant No.2, Sri. T.P.K., Advocate for Defendant No.3, Smt. Gracy N. Singh, Advocate for Defendant No.4, Sri. Shivanna, Advocate for Defendant No.5, Sri. B.Parashiva, Advocate for Defendant No.6 and Defendants No.1(a), 7 and 11 placed exparte.

On contest and by pronouncing judgment, it is ordered and decreed that the suit of the plaintiff is decreed.

Further, it is declared that the survey number of agricultural land purchased by defendant No.4 Manmohan Lal from Sannegowda, Ningamma and Puttegowda @ Putta vide registered Sale Deed dated 21.03.1980 and settled in favour of plaintiff through Settlement Deed dated 02.11.1987 is land bearing Sy.No.197/2 which is shown as Sy.No.197/2A in R.T.C., and it is not Sy.No.197/1B as stated and described in the Sale Deed dated 21.03.1980 and Settlement Deed dated 02.11.1987.

Further it is declared that the Sale Deed dated 13.04.2005 executed by defendant No.1 in favour of defendant No.2 with respect to suit schedule property is not binding on plaintiff.

Further, it is declared that the Sale Deed dated 11.08.2005 executed by defendant No.2 in favour of defendant No.3 with respect to suit schedule property is not binding on the plaintiff.

Further, it is declared that the Sale Deed dated 15.06.1990 executed by 7<sup>th</sup> defendant Ningamma and 8<sup>th</sup> defendant Shivamma in favour of defendant No.1 with respect to land bearing Sy.No.197/2 which is shown as Sy.No.197/2A in R.T.C., is not binding on the plaintiff.

Further, it is declared that plaintiff is the absolute owner of the land bearing Sy.No.197/2 shown as Sy.No.197/2A in R.T.C., by virtue of Sale Deed dated 21.03.1980 and Settlement Deed dated 02.11.1987.

It is further ordered and decreed that the defendants are permanently restrained from interfering with the possession of plaintiff over the suit schedule property.

It is further ordered and decreed that, in the circumstances of the case there is no order as to costs.

Given under my hand and the seal of the court this the 17<sup>th</sup> day of February 2020.

[VIJETH V]  
Judge,  
Addl.Court of Small Causes  
& Sr.Civil Judge, Mysuru.

**MEMORANDUM OF COSTS INCURRED IN THIS SUIT**

Sl. No.	Particulars	Plaintiff/s Rs.	Defendant/s Rs.
1	Court Fee on Plaint	175-00	-
2	--do- Power	-	-
3	--do- Application	-	-
4	Cost of Application	-	-
5	Cost on Adjournment	-	-
6	Advocate's Fee (FC not filed)	-	-
7	Process Fee	251-00	-
8	Commissioners Fee	-	30-00
9	Cost on Copy Application	265-00	30-00
	<b>Total:</b>	<b>Rs. 691-00</b>	<b>30-00</b>

[VIJETH V]

Judge,  
Addl.Court of Small Causes  
& Sr.Civil Judge, Mysuru.

**SCHEDULE**

All that piece and parcel of the Agricultural landed property bearing Sy.No.197/2 (shown as 197/2a in RTC) to an extent of 31 guntas situated at Srirampura, Kasaba Hobli, Mysore Taluk, bounded on:

East by : Lands of Nanjappa  
West by : Manandavadi Road  
North by : Land bearing Sy.No.197/1b, purchased by 1<sup>st</sup> defendant from Smt. Ningamma and her daughter  
South by : Land bearing Sy.No.197/2b sold by the plaintiff to third person namely one G. Srinivas, who is the son of Late Girigowda vide Regd. Sale Deed dated 01/12/2004.

[VIJETH V]  
Judge,  
Addl.Court of Small Causes  
& Sr.Civil Judge, Mysuru.