

KAMS300000502023



**IN THE COURT OF THE ADDITIONAL SENIOR CIVIL JUDGE  
AND JMFC AT HUNSUR**

**Present:** Smt.Anitha, B.A. (Law) L.L.B,  
Addl. Senior Civil Judge &JMFC,  
Hunsur

**Dated this the 03<sup>rd</sup> of June 2024**

**OS No.05/2023**

Plaintiffs: Sri.Somashekara and others  
V/s

Defendants: Sri.C.S.Balakrishna and others

**ISSUES**

1. Whether the plaintiffs prove that, the suit schedule properties are the ancestral properties of themselves and defendants No.3 to 8?
2. Whether the plaintiffs prove that, they are in peaceful possession and enjoyment of the suit schedule properties?
3. Whether the plaintiffs further prove that, Thimmegowda who is the husband of the 3<sup>rd</sup> defendant created registered sale agreement and sale deed in favour of 1<sup>st</sup> defendant?
4. Whether the plaintiffs further prove that, the judgment and decree passed in OS No.55/2015 and entire proceedings in Ex Case No.12/2016 are null and void?
5. Whether the plaintiffs further prove that, the registered Gift Deed executed by the 1<sup>st</sup> defendant in favour of the 2<sup>nd</sup> defendant dated 24.02.2022 is null and void?
6. Whether the plaintiffs further prove that, defendants No.1 to 3 are interfering with their peaceful possession and enjoyment over the suit schedule properties?

7. Whether the 1<sup>st</sup> defendant proves that, the court fee paid is insufficient?
8. Whether defendants No.1 and 2 prove that, Late Thimmegowda executed the sale agreement towards legal necessity?
9. Whether defendants No.1 and 2 prove that, the suit is bad for non-inclusion of all the properties?
10. Whether the plaintiffs are entitled for partition and separate possession of their share over the suit schedule properties?
11. Whether the plaintiffs are entitled for the relief of declaration as sought for?
12. Whether the plaintiffs are entitled for the consequential relief of permanent injunction as sought for?
13. What order or decree?

**(Anitha)**

Addl. Senior Civil Judge and JMFC.,  
Hunsur