

**IN THE COURT OF THE ADDL. SENIOR CIVIL
JUDGE AND JMFC, HUNSUR**

O.S. 147/2021

Plaintiff : Annaiahnayaka and others
V/s

Defendants : Poojari Javarayanayaka and others

I S S U E S

1. Whether the plaintiffs prove that the suit schedule properties are the ancestral and joint family properties liable for partition?
2. Whether the plaintiffs prove that they are in joint possession and enjoyment of the suit schedule properties?
3. Whether defendant No.4 proves that on 12-05-1975 the defendant No.1 had executed a mortgage deed in favour of husband of defendant No.2 and father of defendant No.3 to 5 in respect of suit Sy. No. 32 measuring 2 acres out of 3.05 acres?
4. Whether defendant No.4 proves that mortgage deed dated 12-5-1975 is not released till today hence, suit of the plaintiffs with respect to suit item No.1 is not maintainable?
5. Whether suit of the plaintiffs is barred by law of limitation?
6. Whether the plaintiffs are entitled for the relief of partition and separate possession of their legitimate shares in the suit schedule properties as prayed for?
7. To what order or decree?

Dated 28th Day of June, 2022.

(Zaibunnisa)
Addl. Senior Civil Judge & JMFC
Hunsur