

**SECOND PRELIMINARY DECREE**  
**IN THE COURT OF THE PRL.CIVIL JUDGE AND JMFC AT**  
**PERIYAPATNA**

**F.D.P.NO.04/2015**  
**( OS 135/2010 )**

Petitioner : 1. Eshwari,  
D/o Late Chinnaswamy,  
W/o Raju,  
Aged about 57 Years,  
R/at. Archalli Village and Post,  
Beluru Taluk,  
Hassan District.

**V/S.,**

Respondents : 1. Sarojamma,  
W/o Late Bangaraswamy,  
Aged about 56 Years,  
R/at. Karibasappa Layout,  
Periyapatna Town,  
Mysuru District.

2. Sarojamma,  
W/o Late Murugan,  
Aged about 55 Years,

3. Manjasha,  
S/o Late Murugan,  
Aged about 31 years,

4. Mahadeva,  
S/o Late Murugan,  
Aged about 25 years,

Respondent No. 2 to 4 are

R/at. Medara Block,  
Periyapatna Town and Taluk,  
Mysuru District.

5. Ananda,  
S/o Late Doreswamy,  
Aged about 36 years,
6. Venkatesha,  
S/o Late Chinnaswamy,  
Aged about 56 years,
7. Chandramma,  
W/o Late Subramani,  
Aged about 46 years,
8. Pushpa,  
D/o Late Chinnaswamy,  
Aged about 4 years,

Respondent No. 5 to 8 are  
R/at. Masanakeri Beedi,  
Periyapatna town and taluk,  
Mysuru District.

9. Indira,  
W/o Late Raju,  
Working as Staff Nurse,  
Baliga Hospital,  
Doddanagudde,  
Udupi District.
10. P.R.Putta,  
S/o Late Rangaswamy,

Aged about 40 years,  
R/at. Olakote,  
Periyapatna Town and Taluk,  
Mysuru District.

Date of Institution of the Petition : 20.02.2015  
Nature of the Petition : Final Decree  
Proceedings

**Petition Claim** : The Petitioners pray that this Hon'ble Court be pleased to pass a final decree as hereunder:

**A.** To refer the matter to District Commissioner Mysuru with the assistance of Taluk Surveyor/Govt. Engineer to complete the partition work by mete and bounds and put the petitioner in possession and separate possession of the suit properties or in the alternative, direct the Tahashildar, Periyapatna to effect partition of the schedule properties through his sub-ordinate officials and prays for Final Decree in the above petition,

**B.** The Petitioner filed IA No.7 Under order 54 of CPC and humbly prays that this Hon'ble Court be pleased to allow this application for measuring and fix boundaries of schedule properties by appointing the Surveyor/Engineer as Court

Commissioner through their commissioner report in the interest of justice and equity.

This FDP No.04/2015 coming on this 08<sup>th</sup> day of September 2025 before **Sri. Yogesha M.R., Prl. Civil Judge and JMFC., Periyapatna** in the presence of **Sri Rohit B.J.,** Advocate for the Petitioner and **Sri. G.N.Srinivasamurthy.,** Advocate for Respondent No.1, **Sri. S.M.Purushothama.,** Advocate for Respondent No. 10, Respondent No. 2 to 9 are being absent and placed Exparte.

**By pronouncing the order that, the plaintiff is entitled for 1/8th share in the suit schedule properties, Further defendant no. 1, 5, 6, 7, 8 and 9 are entitled for the 1/8th share each in the suit schedule properties. Further, the defendant no. 2 to 4 are jointly entitled for 1/8th share in the suit schedule properties, as per para 11 of the Judgment passed OS No. 135/2010.**

Given under my hand the seal of this Court on this the 08<sup>th</sup> day of September, 2025.

Second Preliminary Decreed signed on: 11.09.2025

**(YOGESHA M.R.)**  
**Prl.Civil Judge & JMFC.,**  
**Periyapatna.**

**MEMORANDUM OF COST INCURRED IN THIS PETITION**

Particulars	Petitioner Rs.	Respondent Rs.
Court fee for Petition	200-00	-
Court fee for power		
Court fee on IA	-	-
Process Fee	52-00	-
Pleader's fee (FC not filed)		
<b>Total</b>	<b>252 -00</b>	-

**(YOGESHA M.R.)**  
**Prl.Civil Judge & JMFC.,**  
**Periyapatna.**

**SCHEDULE AS PER PETITION**

1. Land bearing Sy.No. 2/2, measuring 0-04 guntas,
2. Land bearing Sy.No. 2/3, measuring 0-04 guntas,

3. Land bearing Sy.No. 2/4, measuring 0-08 guntas,
4. Land bearing Sy.No. 2/5, measuring 0-08 guntas,
5. Land bearing Sy.No. 56/1, measuring 0-09 guntas,

The Item NO.1 to 5 are situated at Periyapatna, Kasaba Hobli, Periyapatna Taluk, bounded on to East: Chikkakere ( Tank ) West: Garden Land of Ganeshaiyah, North: Chikka Kere ( Tank ) and South: Chikka kere ( Tank ).

6. Mangalore Tiled house bearing Assessment No. 2075, measuring 10 x 56 ft.
7. Mangalore Tiled house bearing Assessment No. 2076, measuring 10 x 56 ft.
8. Mangalore Tiled house bearing Assessment No. 2077, measuring 10 x 56 ft.
9. Mangalore Tiled house bearing Assessment No. 2078, measuring 10 x 56 ft.
10. Mangalore Tiled house bearing Assessment No. 2079, measuring 10 x 56 ft.
11. Mangalore Tiled house bearing Assessment No. 2080, measuring 10 x 56 ft.

Item No. 6 to 11 properties are situated at Bestarageri, Periyapatna Town and Taluk, bounded on to East: House of

Thammaiahna Raju, West: Road, North: Road and South:  
House of Ramanna.

**(YOGESHA M.R.)**  
**Prl.Civil Judge & JMFC.,**  
**Periyapatna.**