

It is perused from documents on record that, there is a very strong dispute as to the title of the property. It is well settled principle of law when there is cloud on title, mere suit for injunction does not survive without seeking relief of declaration. As stated in 'Anathula sudhaka vs., P.Buchi reddy. Hence, I am of the opinion to frame additional issue as to the maintainability of suit by excising powers under order 14 rule 5 of CPC. Hence, additional issue is framed. For further plaintiff evidence by 31.03.2021

**Addl. Civil Judge & J.M.F.C.,
Periyapatna.**