

KAMS710005592015



**IN THE COURT OF THE ADDL. CIVIL JUDGE AND
J.M.F.C., T.NARASIPURA.**

Present : Sri. Venkatesha.K.N., ^{B.A. LL.B.}
Addl. Civil Judge & J.M.F.C.,
T.Narasipura.

Dated : This the 10th day of April, 2023.

O.S./112/2015

Plaintiff : Smt.Prema,
D/o. Gurumallappa,
Aged about 35 years,
R/at Honnuru Village,
Kasaba Hobli,
Yelanduru Taluk,
Chamarajanagara District.

(Represented by : Sri.H.N.B.N., Advocate)

-V/S-

Defendants : 1. Sri.Gurumallappa **Dead by Lrs.,**

1(a). Smt. Susheelamma,
W/o Late.Gurumallappa,
Aged about 62 years,

2. Sri.Nanjundaswamy @ Kumara,
S/o Late.Gurumallappa,
Aged about 43 years,

Defendant No.1(a) and 2 are
R/at Adibettahalli Village,
Mugooru Hobli,
T.Narasipura Taluk,
Mysuru District.

3. Smt. Rathnamma @ Bharathi,
W/o Sundrappa,
D/o Gurumallappa,
Aged about 40 years,
R/at Yakanooru Village,
Muguru Hobli,
T.Narasipura Taluk
Mysuru District.

(Represented by : Sri.S.R., Advocate)

1. Date of filing of suit	:	09.04.2015
2. Suit filed for	:	Partition and Separate Possession.
3. Date of recording of evidence commenced on	:	28.07.2016
4. Judgment pronounced on	:	10.04.2023
5. Total duration	:	Years Month Days
		8 00 01

(Venkatesha.K.N.)
Addl. Civil Judge & J.M.F.C.,
T.Narasipura.

* * * * *

J U D G M E N T

This suit is filed by the plaintiff against the defendants for the relief of Partition and Separate Possession in respect of the suit schedule properties.

Suit Schedule properties**A-SCHEDULE**

Agricultural lands situated at Aadibettahally Village, Muguru Hobli, T.Narasipura Taluk, Mysuru District.

ITEM NO.1:- Land measuring 3 acre 20 guntas in Sy.No.22 of Aadibettahally Village, bounded on:-

East by : Kabini Channel road and Channel,
West by : Land belongs to Puttegowda,
North by : Land of Ka.Hally Puttamadappa
and others,
South by : Puttabuddi etc.,

ITEM NO.2:- Land measuring 3 acre 12 guntas in Sy.No.51/1 of Aadibettahally Village, bounded on:-

East by : Land of Late.Devajamma then
land of Basavanna,
West by : Land of Chikkaputtashetty,
North by : Land of Chikkamadappa's family,
South by : Government Road ,

B-SCHEDULE

House properties and back yard situated at Aadibettahalli Village, Mugooru Hobli, T.Narasipura Taluk.

ITEM NO.1:- 12 Pillered Country tiled house with varanda Bounded on:-

East by : House of Kunnegowda,
West by : House of Ninganna,
North by : Vacant site of said joint family of my
client,

South by : Angala leads to road and another house property of said joint family of my client.

Out of which at North-east portion $3\frac{1}{2}$ Anakana house property and varanda measuring 4 anakana attached on the northern side of the said house and eastern padasaale attached to the said house property. Out of the total extent of said house $\frac{1}{4}^{\text{th}}$ portion of North-East portion including Northern side Varanda and eastern side padasaale.

ITEM NO.2:- Another Mangalore tiled five Anakana house(Arimane) property, Bounded on:-

East by : House properties of Puttegowda & others,
West by : Tirugaduva Angala leads to Beedi,
North by : Item No.1 house property,
South by : Road.

ITEM NO.3:- Back yard measuring 8 guntas out of which North-west portion measuring 0.02.66 guntas in Sy.No.2/5A2 of Adibettahalli Village, bounded on:-

East by : Road,
West by : Vacant site belongs to others,
North by : House of Gowda,
South by : Road.

2. The case of the plaintiff in brief is that:-

The suit schedule properties are ancestral and undivided joint family properties of the plaintiff and defendants. The defendant No.1 is the father of plaintiff. The plaintiff and defendant No.2 & 3 are the children of the defendant No.1. The plaintiff and defendants constitute

coparceners and they have been in joint possession and enjoyment of the suit schedule properties. Till now there is no partition effected in the family. The defendant No.1 being a kartha of the family looking after the affairs of the family. The defendant No.1 & 2 having idle personality and cultivating bad habit like gambling, from past more than one year and the defendant No.1 and 2 colluded with each other and they have been neglecting the interest of the joint family at their whims and fancy. The said act of the defendant No.1 & 2 directly affects to the right and interest of the plaintiff & defendants. Further averred that, plaintiff is having legitimate right and definite share in the suit schedule properties along with the defendants. The plaintiff has orally demanded the defendants to divide the suit schedule properties by metes and bounds. But the defendants have not been responded to the demands of the plaintiff. Thereafter on 18.07.2014 the plaintiff has caused a legal notice to the defendants through her advocate and demanded for division of her share in the suit schedule properties. But intentionally the defendants were avoided to receive the legal notice. Hence this suit for the relief of partition and separate possession.

3. On service of summons to the defendants, defendant No.1 to 3 have appeared before the Court through their counsel. The defendant No.2 has filed his written statement.

4. The defendant No.2 in his written statement has denied the plaint averments and he has taken up a contention that, he has taken hand loan from one Jagadeesh S/o Late.Mahadevappa for the purpose of family necessities and for the purpose of cultivation expenses of suit schedule 'A' properties. Further contended that, defendant No.2 has taken a hand loan of Rs.3,00,000/- from Jagadeesh S/o Late.Mahadevappa for the purpose of performing the marriage of plaintiff. Further contended that, the defendants have taken loan from State Bank of Mysuru, T.Narasipura Branch and Muguru Branch and mortgaged the item No.1 of the suit schedule 'A' property. Further contended that, item No.2 of the suit schedule 'A' property is the self acquired property of the defendant No.1. Further defendant No.1 has purchased the item No.2 of the suit schedule property. Further contended that, at about 15 years back defendant No.1 and 2 were partitioned the suit schedule 'B' properties under oral partition. Hence, defendant No.1 and 2 have been residing separately in the item No.1 and 2 of the suit schedule 'B' properties. The plaintiff has filed the false suit against the defendants in order to harass the defendants. Hence, prays to dismiss the above suit with costs.

5. Upon considering the material proposition of law and facts averred by both the parties, this court has framed the following issues:-

ISSUES

1. Whether the plaintiff proves that, the suit schedule properties are ancestral joint family properties of herself and defendants?
2. Whether the defendants prove that, Item No.2 of the suit schedule 'A' property is the self acquired property of defendant No.1?
3. Whether the defendant No.2 proves that, already oral partition took place in their family as alleged in the para No.4 of the written statement?
4. Whether the plaintiff is entitled for $\frac{1}{2}$ share in the suit schedule properties?
5. Whether the plaintiff is entitled for reliefs as prayed?
- 6.
7. What Order or Decree?

6. In order to prove the case of the plaintiff, the plaintiff has appeared before the court and filed her affidavit in lieu of her examination-in-chief by reiterating the plaint averments and examined herself as P.W-1 and produced 11 documents, got them marked as Ex.P-1 to 11. On the other hand, inspite of sufficient opportunity the defendants have not stepped in to the witness box and failed to led their evidence.

7. Heard the arguments of learned counsel for the plaintiff. Inspite of giving sufficient opportunities to the defendants and their counsel, they have failed to appear

before the Court and submit their part of argument. Hence, argument of their side taken as nill. Hence, with liberty to file written arguments, the matter has posted for judgment. Perused the entire documents available on record.

8. My findings to the above issues are as follows:-

- Issue No.1 : **Partly** In the **Affirmative**.
- Issue No.2 : In the **Negative**.
- Issue No.3 : In the **Negative**.
- Issue No.4 : **Partly** In the **Affirmative**.
- Issue No.5 : **Partly** In the **Affirmative**.
- Issue No.6 : As per final order,
for the following,

REASONS

9. **Issue No.1 to 3 :-**

It is the specific case of the plaintiff that, herself, defendant No.2 and 3 are the children of deceased defendant No.1 and defendant No.1(a) is the wife of deceased defendant No.1. The suit schedule properties are the ancestral and undivided joint family properties of plaintiff and defendants. Further plaintiff and defendants have equal right over the suit schedule properties.

10. The plaintiff in order to prove her case, the plaintiff has examined as P.W-1. In the oral evidence of P.W-1, she has reiterated the averments of the plaint and denied the

case of the defendants. In addition to the oral evidence the plaintiff has got marked 11 documents as Ex.P-1 to 11. Ex.P-1 & 2 are the R.T.C extracts, Ex.P-3 is the Genealogical tree, Ex.P-4 is the Legal Notice dated 18.07.2014, Ex.P-5 is the R.P.A.D receipts, Ex.P-6 is the Returned R.P.A.D cover, Ex.P-6(a) is the Legal Notice dated 18.07.2014, Ex.P-7 is the returned R.P.A.D cover, Ex.P-7(a) is the Legal Notice dated 18.07.2014, Ex.P-8 is the R.T.C extract, Ex.P-9 is the Demand register, Ex.P.10 is the Death certificate, Ex.P.-11 is the certificate issued by P.D.O of Vatal Village Panchayath.

11. On perusal of Ex.P-1 it reveals that, in the year 2014-15 land measuring 3 acre 12 guntas including 9 guntas of karab land in Sy.No.51/1 of Adibettahalli village has standing in the name of defendant No.1. On perusal of Ex.P-2 it reveals that, in the year 2014-15 land measuring 3 acre 20 guntas in Sy.No.22 of Adibettahalli village has standing in the name of defendant No.2. On perusal of Ex.P-3 it reveals that, plaintiff and defendant No.2 and 3 are the children of Gurumallappa and Susheelamma. On perusal of Ex.P-4 it reveals that, on 18.07.2014 the plaintiff has issued legal notice to the defendants and called upon the defendants to divide the suit schedule properties. On perusal of Ex.P-6 and 7 which reveals that, legal notice of defendant No.1 and 3 have been returned to sender. On perusal of Ex.P-8 it reveals that, land measuring 8 guntas in Sy.No.2/5A2 of Adibettahalli village has standing in the name of one

Veerabhadrappa S/o Kempappa. On perusal of Ex.P-9 it reveals that, Janjer No.43 and 45 have standing in the name of Gurumallappa. On perusal of Ex.P-10 it reveals that, defendant No.1 was died on 22.08.2018. On perusal of Ex.P-11 it reveals that, P.D.O of Vatal Village Panchayath has issued certificate stating that, demand register No.45 has been standing in the name of Gurumallappa S/o Late.Kempappa.

12. On the other hand it is the specific contention of the defendants is that, defendant No.1 has purchased the item No.2 of the suit schedule 'A' property and item No.2 of the suit schedule 'A' property is the self acquired property of the defendant No.1. Further contended that, at about 15 years back defendant No.1 and 2 were partitioned the suit schedule 'B' properties under oral partition. Hence, defendant No.1 and 2 have been residing separately in the item No.1 and 2 of the suit schedule 'B' properties. Further, no properties are available for partition among the parties and the properties are already divided and hence the plaintiff is not entitle for any reliefs.

13. In order to disprove the case, defendants have not stepped in to the witness box and they have not produced any documents.

14. After perusal of the oral and documentary evidence of both side, I have also heard the arguments of plaintiff. On the one hand the learned counsel for the plaintiff has argued that, plaintiff, defendant No.2 and 3 are the children of Gurumallappa and Susheelamma. The suit schedule properties are the ancestral joint family properties of plaintiff and defendants. The plaintiff and defendants constitute coparceners and they have been in joint possession and enjoyment over the suit schedule properties. Further argued that, till now there is no partition took place between the plaintiff and defendants. Further argued that, plaintiff is having legitimate right and definite share over the suit schedule properties. The plaintiff and defendants are equally entitled for share over the suit schedule properties. Hence, all the suit schedule properties are the ancestral joint Hindu family properties of plaintiff and defendants.

15. In order to prove the same the plaintiff has relied on Ex.P-1 to 11. On perusal of Ex.P-1 it is crystal clear that, in the year 2014-15 item No.2 of the suit schedule 'A' property has standing in the name of defendant No.1. On perusal of Ex.P-2 it is crystal clear that, in the year 2014-15 item No.1 of the suit schedule 'A' property has standing in the name of defendant No.2. On perusal of Ex.P-9 it reveals that, Janjer No.43 and 45 were standing in the name of Gurumallappa. On perusal of Ex.P-1 and 2 which are crystal clear that, item No.1 and 2 of the suit schedule 'A' property

have been standing in the name of defendant No.1 and 2. Further plaintiff has not mentioned any katha number or janjer number or property number to the item No.1 and 2 of the suit schedule 'B' property. In the absence of such property number or katha number it is difficult to find out the nature of the properties. Further item No.3 of the suit schedule 'B' property has been standing in the name of one Veerabhadrappa. Further there is no pleadings and explanation about the said Veerabhadrappa. Further the said Veerabhadrappa is not the party to the suit. Further admittedly defendant No.1 was died during the pendency of the above suit without any Will. Hence, after the death of said defendant No.1, item No.1 and 2 of the suit schedule 'A' properties became the joint family properties of deceased defendant No.1, plaintiff, defendant No.1(a), defendant No.2 & 3. Hence, plaintiff, defendants having equal right over the item No.1 and 2 of the suit schedule 'A' properties. Hence, on perusal of Ex.P-1, 2, 8 and 9 which are crystal clear that, the plaintiff has successfully proved that, the item No.1 and 2 of suit schedule 'A' property are the joint family properties of plaintiff and defendants. Further the plaintiff has not produced any documents with respect to item No.1 and 2 of the suit schedule 'B' property. Further item No.3 of the suit schedule 'B' property has been standing in the name of one Veerabhadrappa. Hence, the plaintiff has failed to prove that, item No.1 to 3 of the suit schedule 'B' property are the joint family properties of plaintiff and defendants.16. Further after

perusal of the materials available on record let me examine whether the defendant No.2 has proved the Issue No.2 & 3. In order to prove the above said aspects, the defendant No.2 has to firstly prove that, item No.2 of the suit schedule 'A' property has absolutely self acquired property of defendant No.1 and he has purchased the same out of money paid by him. In order to prove the said facts the defendants have not stepped in to the witnesses box and they have not produced any oral and documentary evidence. Hence, it is crystal clear that, plaintiff and defendants having equal right over the said property.

17. It is the only question arise before this court is that, whether the item No.2 of the suit schedule 'A' properties are the joint family properties or it is the self acquired property of defendant No.1.

18. From the materials available on record it is crystal clear that, plaintiff and defendant No.2 & 3 are the children of deceased Gurumallappa and Susheelamma. Now the defendant No.2 has to prove that, item No.2 of the suit schedule 'A' property has been acquired by out of fund paid by defendant No.1. Further he has to prove that, the item No.2 of the suit schedule 'A' property is not a joint family property. The defendant No.2 has contending that item No.2 of the suit schedule 'A' property is self acquired and absolute property of defendant No.1.

19. In order to determine the said contentions it is useful to refer to Hindu Law to determine the nature of the suit schedule properties.

“In **MULLA’S PRINCIPLES OF HINDU LAW 17th Edition**, at Page 344,345, 346 the subject under consideration is dealt with, which reads as under:-

233. Presumption as to coparcenary and coparcenary property:- Where a suit is brought by a Hindu to recover property, alleging that it is his self acquired property, and the defendant contends that it is joint family property, or where a suit is brought by a Hindu or partition of property alleging that it is joint family property and the defendant contends that it is his self-acquired property, the question arises upon whom the burden of proof lies. The following are the leading rules on the subject:-

(1) **Presumption that a joint family continues joint.-**Generally speaking, ‘the normal state of every Hindu family is joint. Presumably every such family is joint in food, worship and estate. In the absence of proof of division, such is the legal presumption’. In other words, ‘given a joint Hindu family, the presumption is, until the contrary is proved, the family continues joint. The presumption of union is the greatest in the case of father and sons.

(2) **No presumption that a joint family possesses joint property.-** There is no presumption that a family, because it is joint possesses joint property or any property. When in a suit for partition, a party claims that any particular item of the property is joint family property or when a suit or mortgage, a party contends that the property mortgaged is joint family property the burden of proving that it is so rests on the party asserting it.

To render the property joint, the plaintiff must prove that the family was possessed of some property with the income of which the property could have been acquired. Or from which the presumption could be drawn that all the property possessed by the family is joint family property or that it was purchased with joint family funds, such as the proceeds of sale of ancestral property or by joint labour.

Where it is established or admitted that the family possessed some joint property which, from its nature and relative value may have formed the nucleus from which the property in question may have been acquired, the presumption arises that it was joint property and the burden shifts to the party alleging self acquisition to establish affirmative that the property was acquired without the aid of the joint family. However, no such presumption would arise if the nucleus is such that with its help the property claimed to be joint could not have been acquired. In order to give rise to the presumption the nucleus must be such that with its help the property claimed to be joint could have been acquired.

Where, however, the existence of the nucleus is shown and no other source of income is disclosed the presumption may be made that the nucleus was sufficient to enable the property to be acquired. Such being the presumption, if any member of the family claims any portion of the property, as his separate property, the burden lies upon him in any such case to that it was acquired by him in circumstances which would constitute it is separate property.

He may do so by showing that the income of the existing ancestral property was employed in other ways, or was kept intact. If he adduces no evidence, the presumption that the property was joint family property must prevail. The mere fact that it was purchased in his name and that there are receipts in his name respecting it does not render the property

his separate property, for all that is perfectly consistent with the notion of its being joint property.

The presumption is stronger in the case of brothers than in case of cousins but almost nil in case of third and fourth cousins.

20. Further in order to appreciate the said aspect the defendants have not filed any documents in respect of their source of income other than agricultural income. Further the defendant No.2 has not whispered anything about the source of income of defendant No.1. Hence it is crystal clear that, the defendant No.1 has no other source of income other than agricultural income.

21. Further the defendant No.2 has not placed any documents in respect of, at the time of purchase of the above said property the defendants are living separately with out joint family status. Further there is no document with regard to partition of the suit schedule properties before purchase of the above said property. Further the defendant No.2 has not placed any documents with respect to alleged oral partition. Hence it is crystal clear that, there is no partition held between plaintiff and defendants. Further it is crystal clear that, plaintiff and defendants constitutes into a joint Hindu Family. Further, the defendant No.2 has not stated anything about the income has been deriving from the sources other than the income derived from joint family agricultural lands. But defendant No.2 has contended that, defendant No.1 has purchased the item No.2 of the suit schedule 'A' property out

of his independent income. But in order to prove the said contention he has not lead any oral and documentary evidence. Thus in the absence of proper materials the plea of the defendant No.2 that, the item No.2 of the suit schedule 'A' property is the self acquired property and same was purchased by defendant No.1 out of consideration paid by him not believable.

22. In order to determine the nature of the item No.2 of the suit schedule 'A' property it is useful to refer the following decision of the Hon'ble Supreme Court of India:-

The Hon'ble Supreme Court of India in a decision reported in **2007(4) KCCR SN 278 SUPREME COURT**

**"MAKHAN SINGH (deceased) by LRs -V/s.-
KULWANT SINGH"**

has laid down the law as under:-

B.HINDU LAW- The Court held that there is no presumption regarding property being joint family property only on account of existence of joint Hindu family. The one who asserts has to prove that the property is a joint family property. If, however, the person so asserting proves that there was nucleus with which the joint family property could be acquired, there would be presumption of the property being joint and the onus would shift on the person who claims it to be self-acquired property to prove that he purchased the property with his own funds and not out of joint family nucleus that was available."

23. In the present case there is no oral and documentary evidence in respect of alleged oral partition. Hence in the absence of evidence, the contention of the defendant No.2 is not believable. Hence it is crystal clear that, till today there is no partition took place between plaintiff and defendants. Further as a member of the family the defendant No.1 had purchased the item No.2 of the suit schedule 'A' property from the joint family nucleus. Further the defendant No.2 has not produced any document in respect of defendant No.1 was having any other source of income at the time of purchase of the item No.2 of the suit schedule 'A' property. Hence, a presumption may be made that the joint family nucleus made by defendant No.1 has been sufficient to enable the defendant No.1 to acquire the item No.2 of the suit schedule 'A' property. The burden is on the defendant No.2 to show that item No.2 of the suit schedule 'A' property was acquired by defendant No.1 out of his self exertion which would constitute as his separate property and he has acquired the item No.2 of the suit schedule 'A' property out of consideration paid by him. The defendant No.2 has not placed any materials on record to show that the income of the existing ancestral properties was employed in other ways or was kept intact. He has not adduced any evidence in this regard. Hence, the presumption that the item No.2 of the suit schedule 'A' property is also the joint family properties gains credence. In the light of the law laid down by the Hon'ble Supreme Court

of India it could be safely concluded that the defendant No.2 has failed to prove that item No.2 of the suit schedule 'A' property is self acquired and absolute property of the defendant No.1. Further, on perusal of Ex.P-1 and 2 which are crystal clear that, item No.1 and 2 of the suit schedule 'A' property have been standing in the name of defendant No.1 and 2. Further plaintiff has not mentioned any katha number or janjer number or property number to the item No.1 and 2 of the suit schedule 'B' property. In the absence of such property number or katha number it is difficult to find out the nature of the properties. Further item No.3 of the suit schedule 'B' property has been standing in the name of one Veerabhadrappa. Further there is no pleadings and explanation about the said Veerabhadrappa. Further the said Veerabhadrappa is not the party to the suit. Further admittedly defendant No.1 was died during the pendency of the above suit without any Will. Hence, after the death of said defendant No.1, item No.1 and 2 of the suit schedule 'A' properties became the joint family properties of deceased defendant No.1, plaintiff & defendants. Hence, plaintiff, defendants having equal right over the item No.1 and 2 of suit schedule 'A' properties. Hence, on perusal of Ex.P-1, 2, 8 and 9 which are crystal clear that, the plaintiff has successfully proved that, the item No.1 and 2 of suit schedule 'A' property are the joint family properties of plaintiff and defendants. Further the plaintiff has not produced any documents with respect to item No.1 and 2 of

the suit schedule 'B' property. Further item No.3 of the suit schedule 'B' property has been standing in the name of one Veerabhadrapa. Hence, the plaintiff has failed to prove that, item No.1 to 3 of the suit schedule 'B' property are the joint family properties of plaintiff and defendants. Further proved that, plaintiff and defendants constitute into a joint Hindu family. On the other hand the defendant No.2 utterly failed to prove that, item No.2 of the suit schedule 'A' property is the self acquired property of defendant No.1. Further the defendant No.2 has utterly failed to prove the alleged oral partition. Accordingly, **Issue No.1 is answered Partly in the Affirmative and Issue No.2 & 3 are answered in the Negative.**

24. Issue No. 4 and 5:-

In the foregoing discussion made on Issue No.1, I clearly hold that, item No.1 and 2 of the suit schedule 'A' properties are the joint family properties of the plaintiff and defendants. Further this court has clearly hold that, item No.1 to 3 of the suit schedule 'B' properties are not the joint family properties of plaintiff and defendants. Hence plaintiff, defendant No.1(a) and defendant No.2 and 3 are entitle for $\frac{1}{4}^{\text{th}}$ share each in the item No.1 and 2 of the suit schedule 'A' properties. Further the plaintiff has not produced any documents with respect to item No.1 and 2 of the suit schedule 'B' property. Further item No.3 of the suit schedule 'B' property has been standing in the name of one Veerabhadrapa. Hence, the

plaintiff has failed to prove that, item No.1 to 3 of the suit schedule 'B' property are the joint family properties of plaintiff and defendants. Hence, the plaintiff is not entitle any share in the item No.1 to 3 of the suit schedule 'B' property. Accordingly, **Issue No.4 and 5 are answered partly in the Affirmative.**

25. Issue No.6:-

In view of the findings on Issue No.1 to 5, I proceed to pass the following:-

ORDER

The suit of the plaintiff is hereby **partly decreed.**

The plaintiff is entitled for $\frac{1}{4}^{\text{th}}$ share in the item No.1 and 2 of the suit schedule 'A' properties.

The defendant No.1(a), defendant No.2 and 3 are entitled for $\frac{1}{4}^{\text{th}}$ share each in the item No.1 and 2 of the suit schedule 'A' properties.

The defendant No.1(a), defendant No.2 and 3 are required to pay necessary court fee on their respective shares.

The suit of the plaintiff in respect of suit schedule 'B' properties is hereby dismissed.

By considering the relationship of the parties, the facts and circumstances of the case, no order as to costs.

Draw preliminary decree accordingly.

(Directly generated through the computer by the Stenographer to my dictation with my verification and then signed and pronounced by me in the open Court dated this the 10th day of April, 2023.)

(Venkatesha.K.N.)
Addl. Civil Judge & J.M.F.C.,
T.Narasipura.

ANNEXURE

List of witnesses examined for plaintiff:-

P.W-1 : Smt.Prema.

List of exhibits marked for plaintiff:-

Ex.P-1 & 2 : R.T.C extracts,
Ex.P-3 : Genealogical tree,
Ex.P-4 : Legal Notice dated 18.07.2014,
Ex.P-5 : R.P.A.D receipts,
Ex.P-6 : Returned R.P.A.D cover,
Ex.P-6(a) : Legal Notice dated 18.07.2014,
Ex.P-7 : Returned R.P.A.D cover,
Ex.P-7(a) : Legal Notice dated 18.07.2014,
Ex.P-8 : R.T.C extract,
Ex.P-9 : Demand register,

Ex.P.10 : Death certificate,
Ex.P.-11 : Certificate issued by P.D.O of Vatal
Village Panchayath.

List of witnesses examined for defendants:-

-- Nil --

List of exhibits marked for defendants:-

-- Nil --

**Addl. Civil Judge & J.M.F.C.,
T.Narasipura. ****