

KAMS710011402016



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

:P R E S E N T:

Sachin H.R., B.A., L.L.B.,
*Prl. Civil Judge & J.M.F.C.,
T.Narasipura.*

Dated this the 04th day of April, 2026

Original Suit No.183/2016

PLAINTIFF/S:

Sri.G.Nagarajamurthy,
*S/o Late Gurushanthappa,
Aged about 61 years,
R/at Veeraappaodeyarahundi Village,
Sosale Hobli, T.Narasipura Taluk.*

(By Sri.M.D., Advocate)

-V/S-

DEFENDANT/S:1.

The Tahasildar,
*Taluk Office,
Nanjangud Road,
T.Narasipura,
T.Narasipura Taluk.*

2. The Assistant Executive Engineer,
*Office of the Assistant Executive
Engineer,*

C.N.N.L., No.4, KRS Sub Division,
Madegowdanahundi,
T.Narasipura Taluk.

- 3. Smt.Kalpana,**
W/o Late Basvaraju,
Aged about 40 years,
R/at No.857, PLD Bank Road,
T.Narasipura Town.

(Def.No.1 & 2 by A.G.P.,)
(Def.No.3 by Sri.A.S.H., Advocate)

Date of Institution of Suit	15.09.2016
Nature of Suit	Declaration and Permanent Injunction
Date of Commencement of Recording of evidence	06.01.2022
Date of closing of evidence	23.08.2022
Date on which judgment was pronounced	04.04.2026
Total Duration	<u>Year/s Month/s Days</u> 09 06 20

(Sachin H.R.)
Prl. Civil Judge & J.M.FC.,
T.Narasipura.

::J U D G M E N T::

1. The plaintiff has filed this suit against the defendants seeking for the relief of Declaration, **to declare**

that the notice issued by the defendant No.1 in LND(CR).No.06(3)/2016-17 dated 26.08.2016 is null and void and for consequential relief of permanent injunction against the defendants to restrain them, their agents, servants or anybody acting on their behalf from interfering into the peaceful possession and enjoyment of the suit schedule properties by the plaintiff and for costs of this suit.

THE BRIEF FACTS OF THE PLAINTIFF'S CASE IS AS FOLLOWS;

2. That the properties bearing **(1)** Sy.No.18/2 measuring 0.39 guntas, **(2)** Sy.No.19/1 measuring 0.32 guntas, **(3)** Sy.No.19/2 measuring 1.00 acre, **(4)** Sy.No.19/3 measuring 0.09 guntas, **(5)** Sy.No.20/1 measuring 1.04 acre, **(6)** Sy.No.20/2 measuring 0.12 guntas, **(7)** Sy.No.20/4 measuring 1.03 acre, **(8)** Sy.No.20/9 measuring 0.24 ½ guntas, **(9)** Sy.No.21 measuring 2.00 acres, **(10)** Sy.No.22/1 measuring 2.01 acres, **(11)** Sy.No.22/2 measuring 2.01 acres, **(12)** Sy.No.22/3 measuring 2.01 acres, **(13)** Sy.No.24/3 measuring 1.16 acres, **(14)** Sy.No.159/2

measuring 1.07 acre, **(15)** Sy.No.159/3A measuring 1.05 acre, **(16)** Sy.No.160 measuring 0.26 ½ guntas, **(17)** Sy.No.161/4 measuring 1.06 acre, **(18)** Sy.No.161/5 measuring 0.38 guntas, **(19)** Sy.No.161/6 measuring 0.05 ½ guntas and **(20)** Sy.No.161/7 measuring 0.09 ½ guntas, the suit schedule item No.1 to 15, 17 & 18 are commonly bounded on the East by T.Narasipura - Kirugavalu main road, West by C.D.S., Nala and lands of defendant No.3, North by Neragyathanahalli border and South by C.D.S.,channel and the suit schedule item No.16, 19 and 20 are bounded on the East by T.Narasipura - Kirugavalu main road, West by C.D.S.,channel, North by land of B.Vasavaraju and South by land of Moogaiah @ Siddaiah, the suit schedule item No.1 to 13 properties are situated at Hasuvatti village, Sosale Hobli, T.Narasipura taluk and the suit schedule item No.14 to 20 are situated at Neragyathanahalli village, Sosale Hobli, T.Narasipura taluk, **are hereinafter referred to as the suit schedule properties in this suit.**

3. *It is the specific case of the plaintiff that he is the absolute owner in possession and enjoyment of the suit schedule item No.1 to 13 properties totally measuring 15.22 ½ acres situated at Hasuvatti village and the suit schedule item No.14 to 20 properties totally measuring 5.17 ½ acres situated at Neragyathanahalli village, more fully described in the plaint schedule and that the plaintiff has acquired the suit schedule item No.1 property under the family partition and has acquired the suit schedule item No.2 to 20 properties under the registered Will dated 03.06.2011 executed by his mother by name Smt.Parvathamma and accordingly the katha of the suit schedule properties are standing in his name and he is the absolute owner in possession of the suit schedule properties and is paying taxes to the concerned authority.*

4. *Further it is the case of the plaintiff that he has erected solar fence surrounding the suit schedule properties and has fixed the gate on the eastern side towards the T.Narasipura – Kirugavalu main road in the year 2008 and the said T.Narasipura – Kirugavalu main road measuring 70*

feet width passes through the Sy.No.19 and 20 formed long back being used by the public at large for the movement of the vehicles such as route buses, goods vehicles, bullock carts and pedestrians and the route buses from T.Narasipura to Mandya move every day on the said road which passes through villages such as Sosale, Hasuvatti, Kannayakanahalli, Nagalagere, Bhudahalli, Chidaravalli, Bommanahalli and other villages which comes within the jurisdiction of Mandya District. As such in view of the existence of the T.Narasipura-Kiragavalu Main Road, the public at large are using same from time immemorial and in fact there is no cart track or Haddigidida Road is in existence in between the suit schedule properties from the time immemorial.

5. *Further it is the case of the plaintiff that under the Central Government Scheme Development of commercial Horticulture through production and post Harvest Management of National Horticulture Board, the plaintiff has availed a loan of Rs.29,00,000/- by creating charge over the*

suit schedule properties and is cultivating and growing the commercial crops such as Banana and Lemon crops and in order to provide water facility to the said crops he has dug 4-5 bore wells and submersible motor have been installed to feed water to the crops by using solar energy in the suit schedule properties. In addition since the earlier solar fencing wires were broken and as the poles were damaged he has again fenced the suit schedule properties with barbed wire with stone pillars. Accordingly the plaintiff has been cultivating the commercial crops in the schedule properties as per guidelines of National Horticulture Board and thereby the plaintiff has been cultivating and in possession and enjoyment of the schedule properties.

6. *Further it is the case of the plaintiff that the defendant No.3 is the owner in possession of the properties bearing Sy.No.17/2, Sy.No.23/1 and Sy.No.23/2 situated towards the western side of the schedule properties and towards the southwest corner adjacent to the CDS channel service road, having no manner of right over the suit schedule properties has filed a false petition before*

defendant No.1 and 2 by falsely alleging that the plaintiff is erecting fence by blocking the CDS channel service road and cart track and thus the defendant No.2 blindly at the instigation of defendant No.3 has directed the defendant No.1 to survey the channel service road through surveyor. Further, the defendant No.1 on the basis of false petition of defendant No.3 initiated a proceeding in LND(CR).No.06(3)/2016-17 and directed the Taluk Surveyor by name Guruvaiah to conduct survey in order to trace encroachment of the CDS channel service road and cart track. Unfortunately, no notice was issued by the defendant No.1 to the plaintiff in respect of initiation of proceedings in LND(CR).No.06(3)/2016-17 and also no notice was issued by the concerned surveyor to the plaintiff at the time of conducting survey and spot inspection. Thereby the defendants No.1 and 2 have denied the opportunity to the plaintiff to resist the petition filed by the defendant No.3 in the said proceedings. The plaintiff came to know about the proceedings initiated by the defendant No.1 through his workers and on enquiry in the office of the defendant No.1

the factum of survey and initiation of proceedings in LND(CR).No.06(3)/2016-17 came to the knowledge of the plaintiff. Thereafter, on 24.06.2016, the plaintiff voluntarily filed objections in the office of the defendant No.1 by narrating that he has not encroached either CDS channel service road nor cart track or Haddigidida Road. In fact, the plaintiff has left 12 feet towards CDS channel for service road inspite of not providing any document by the defendant No.2 regarding the width of service road. The defendant No.2 has not maintained any documents in respect of width of channel service road in his office.

7. *Further it is case of the plaintiff that the plaintiff in his objection filed in the office of the defendant No.1 has also narrated in detail that there is no cart track or Haddigidida Road existing in between suit schedule properties bearing Sy.No.18, 19, 20 and 21 from the time immemorial and it is not being used by any public at any point of time. Further, in view of the formation of 70 feet width T.Narasipura-Kiragavalu main public road in the same survey numbers bearing 19 and 20, the alleged cart*

track or Haddigidida Road naturally extinguished long back and not at all in existence. In spite of all these facts known to the defendants, on the basis of the revenue map of the year 1925, the Taluk surveyor has prepared a false sketch on 23.07.2016 and submitted to the defendant No.1 falsely stating that only cart track or Haddigidida Road has been encroached by the plaintiff. In report and sketch of the surveyor there is no mention regarding encroachment of CDS channel service road. In addition, the concerned surveyor has suppressed the existence of T.Narasipura-Kiragavalu Main Road in Sy.No.19 and 20 with oblique intentions. At the time of formation of said road more extent of the land has been consumed by the State. Even after submission of report by the surveyor in spite of objections filed by the plaintiff much earlier no opportunity has been given to the plaintiff and no enquiry has been made by the defendant No.1 and thereby the defendant No.1 has grossly violated the procedure to be adopted as per land revenue act.

8. *Further it is the case of the plaintiff that though the lands bearing Sy.No.18, 19, 20 and 21 have been*

phoded as 18/2, 19/1, 19/2, 19/3, 20/1, to 20/9 by the defendant No.1, the taluk surveyor has not prepared any survey sketch showing the location of above said lands with respective sub phodes colluding with defendant No.3 to harass the plaintiff and submitted false survey sketch and report. The lands of the defendant No.3 have been left fallow and her lands situated on southwest corner have not been surveyed by the surveyor though the said lands are situated adjacent to CDS channel service road which shows the collusion of the defendant No.3 with the defendants No.1 and 2 and the Taluk Surveyor.

9. *Further it is the case of the plaintiff that the defendant No.1 has not conducted any enquiry in the proceeding in LND(CR)No.06(3)/2016-17 and no opportunity has been given to the plaintiff. In spite of that the defendant No.1 has issued illegal notice dated 26.08.2016 unilaterally to the plaintiff calling upon him to vacate the encroachment of cart track or Haddigidida Road and also stating that a criminal case will be initiated as per Sec.192A of Karnataka*

Land Revenue Act. That the said notice is illegal, unilateral and couched with malafide intentions and the defendant No.1 has no right or authority to issue such type of notice and the same is against the provisions of Karnataka Land Revenue Act. Thus the said notice has to be declared as null and void by this Court in order to protect the existing fruit yielding Banana crops and other crops, right and lawful possession of the plaintiff over the suit schedule properties from illegal interference of the defendants under the guise of illegal notice. Hence the plaintiff has filed this suit seeking for the reliefs as sought for.

10. *On receipt of the suit summons, though the defendants have appeared before this Court through their counsel they have not filed their written statement.*

11. *On the basis of the pleadings, the following points arises for determination by this Court:*

POINTS

- 1.** *Whether the plaintiff proves that he is the absolute owner in peaceful possession and enjoyment of the suit schedule properties?*

2. *Whether the plaintiff proves the alleged interference by the defendants?*
3. *Whether the plaintiff proves that the notice issued by the defendant No.1 in LND (CR). No. 06(3)/2016-17 dated 26.08.2016 is null and void?*
4. *Whether the plaintiff is entitled for the relief of declaration and permanent injunction as sought for?*
5. *What order or decree?*

12. *In order to prove his case, the plaintiff got examined himself as P.W.1 and got marked 144 documents at Ex.P.1 to Ex.P.144 and closed his side evidence. On the other hand, the defendants did not adduce any oral or documentary evidence.*

13. *Heard arguments of the learned counsel for the plaintiff and also perused the materials available on record.*

14. *My findings on the above points are as follows:*

*Point No.1: In the **Negative**;*

*Point No.2: In the **Negative**;*

*Point No.3: In the **Negative**;*

Point No.4: In the **Negative**;

Point No.5: As per the final order
for the following:

::REASONS::

POINT No.1 to 3:

15. These issues are interconnected with each other and as such are taken together for common discussion in order to avoid repetition of facts.

16. It is the specific case of the plaintiff that he is the absolute owner in possession of the suit schedule item No.1 to 20 properties and is cultivating commercial crops therein and that there exist T.Narasipura – Kirugavalu main road which passes through Sy.No.19 and 20 and there exists no any cart track or Haddigidada road in between the suit schedule properties. Such being the case the defendant No.3 who is the adjacent owner of the properties bearing Sy.No.17/2, Sy.No.23/1 and Sy.No.23/2 towards the western side of the suit schedule property had filed the false petition before the defendant No.1 and 2 alleging that the plaintiff has illegally fenced his properties by blocking the

CDS channel road and cart track and accordingly the proceedings was initiated in LND(CR)No.06(3)/2016-17 by the defendant No.1 and the plaintiff though has filed his objections to the said petition, the defendant No.1 at the instance of the false report submitted by the Taluk Surveyor without providing any opportunity to the plaintiff and without conducting any enquiry has issued illegal and unilateral notice dated 26.08.2016 to the plaintiff calling upon him to vacate the encroachment of the cart track by him. Thus the plaintiff has filed this suit to declare the said notice dated 26.08.2016 issued by the defendant No.1 as null and void and for consequential relief of permanent injunction as prayed for.

17. The burden of proving these points is upon the plaintiff and accordingly in order to prove these points the plaintiff got examined himself as P.W.1 and led his chief examination by way of affidavit and has reiterated the entire plaint averments. Further in order to substantiate his case has produced in all 144 documents which are marked at Ex.P.1 to Ex.P.144. The **Ex.P.1** is the registered Will

*dated 03.06.2011 executed by the mother of the plaintiff in respect to the A, B and C schedule properties recited therein in favour of the plaintiff, the **Ex.P.2** is the registered Partition deed dated 17.02.2002 effected between the plaintiff, his mother and his siblings wherein which the D schedule properties had fallen to the share of the plaintiff, the **Ex.P.3** is the Mutation order passed in M.R.No.H47/2011-12 dated 30.07.2012, the Ex.P.4 is the Mutation order passed in M.R.No.H22/2011-12 dated 20.12.2011, the **Ex.P.5 and Ex.P.6** are the Loan Sanction Intimation issued by the Sr.Manager, Karnataka Bank, T.Narasipura Branch, the **Ex.P.7 to 105** are the RTC extracts of the suit schedule properties which discloses that the katha of the suit schedule properties are standing in the name of the plaintiff, the **Ex.P.106** is the Letter dated 16.07.2015 issued by the National Horticulture Board to the plaintiff, the **Ex.P.107** is the Notice dated 26.08.2016 issued by the Tahasildar, T.Narasipura calling upon the plaintiff to vacate the encroachment of the Haddigidada road by him, the **Ex.P.108** is the C/c of the report submitted*

by the Taluk Surveyor, T.Narasipura Taluk stating that the plaintiff has encroached the Haddigidada road measuring 0.14 guntas which passes through Sy.No.18, 21 and 19, 20 situated at Hasuvatti village, Sosale Hobli, T.Narasipura taluk, the **Ex.P.109** is the copy of the objections submitted by the plaintiff to the defendant No.1 in LND(CR)No.06(3)/2016-17 dated 24.06.2016, the **Ex.P.110 to 129** are the RTC extracts of the suit schedule properties which are standing in the name of the plaintiff, the **Ex.P.130 to 143** are the photographs and the **Ex.P.144** is the C.D.

18. Per contra the defendants have not filed their written statement and have not come forward to cross examine the P.W.1 and further the defendants have not adduced their evidence to repudiate the case of the plaintiff. But anyhow it is the settled position of law that the plaintiff has to prove his case at his own strength and not merely rely upon the weaknesses of the defendant.

19. Now coming to the point No.1, it is the specific case of the plaintiff that he has acquired the suit schedule

item No.1 property under the partition deed and further had acquired the suit schedule item No.2 to 20 properties under the Will executed by his mother and accordingly the katha of the suit schedule properties is mutated into his name and as such he is the absolute owner in possession of the suit schedule property. In order to establish the said fact the P.W.1 has produced the Registered Will dated 03.06.2011 marked at Ex.P.1, the registered Partition deed dated 17.02.2002 marked at Ex.P.2 and the Mutation orders marked at Ex.P.3 and 4 and the RTC extracts marked at Ex.P.7 to 105 and 110 to 129, which are totally in consonance with the plaint narration. But the said Registered Will dated 03.06.2011 marked at Ex.P.1 and the registered Partition deed dated 17.02.2002 by itself are not the title deeds and further the plaintiff has neither pleaded nor produced any documents in respect to the source of his title over the suit schedule properties. Further the Mutation orders marked at Ex.P.3 and 4 and the RTC extracts marked at Ex.P.7 to 105, 110 to 129 discloses that the katha of the suit schedule properties are standing in the names of the

plaintiff and as such the said documents discloses that the plaintiff is in possession of the suit schedule properties. But in the absence of pleadings narrating the source of title and the documents establishing the source of title this Court cannot declare that the plaintiff is the absolute owner of the suit schedule properties merely on the basis of the Will and the Partition deed relied upon by the plaintiff at Ex.P.1 and 2.

20. *Further in the case on hand the fact that the plaintiff is the absolute owner in possession of the suit schedule properties is not at all in dispute. The only grievances of the plaintiff is that the Taluk Surveyor, T.Narasipura has submitted false report addressing to the defendant No.1, in the proceedings initiated in LND(CR)No.06(3)/2016-17 at the instance of the petition submitted by the defendant No.1, that the plaintiff has encroached 0.14 guntas of Haddigidada road/cart track which passes through the properties bearing Sy.No.18, 19, 20 and 21 as marked at Ex.P.108 and further the defendant No.1 relying upon the said false report has issued him illegal*

and unilateral notice marked at Ex.P.107 directing him to vacate the said encroachment of the Haddigidada road by him, which has to be declared as null and void and further the defendants has to be restrained from interfering into his peaceful possession and enjoyment of the suit schedule properties.

21. *In the light of the report of the Taluk Surveyor marked at Ex.P.108 and in the light of the Notice dated 26.08.2016 issued by the defendant No.1, it is crystal clear that unless the said Haddigidada road to an extent measuring 0.14 guntas which passes through in Sy.No.18, 19, 20 and 21, the defendants are no way interfering into the peaceful possession and enjoyment of the suit schedule properties by the plaintiff.*

22. *Admittedly in the case on hand, the plaint averments discloses the defendant No.1 had initiated the proceedings in LND(CR)No.06(3)/2016-17 at the instance of the Petition submitted by the defendant No.3 alleging that the plaintiff has erected the fence by blocking the CDS channel service road and cart track by the plaintiff and the*

plaintiff has filed his objections to the said petition which is marked at Ex.P.109 stating that there exists no such road as alleged by the defendant No.3.

23. *That the Tahasildar has all right and authority empowered under the Karnataka Land Revenue Act, 1964 to remove the encroachments on a public road or path provided they follow the due process of law and further the Tahasildar is considered the competent authority for initiating proceedings against the encroachment of public lands under the said Act. That under the Sections 67, 68 and 104 of the Karnataka Land Revenue Act, 1964 the Tahasildar can conduct a summary enquiry, survey the land and pass orders to remove illegal enclosures, constructions or encroachments with the help of the police. That the Tahasildar cannot remove the encroachment immediately without notice, but he has to issue notice to the encroacher giving him an opportunity to respond, if the encroachment is verified through spot inspection and if the reply notice is unsatisfactory the Tahasildar can order for removal of encroachment and the affected party can challenge the order*

passed by the Tahasildar by preferring an appeal under Section 49 or Section 136 of the said Act.

24. *In the case on hand it is clear that at the instance of the petition filed by the defendant No.3, the defendant No.1 being the Tahasildar, T.Narasipura Taluk had initiated the proceedings in LND(CR)No.06(3)/2016-17 and the plaintiff has filed his objections on 24.06.2016 and further the defendant No.1 has directed the Taluk Surveyor to inspect and survey the disputed land and to submit his report as to illegal encroachment by the plaintiff and accordingly the Taluk Surveyor has conducted survey and submitted his report dated 23.07.2016 which is marked at Ex.P.108 stating that the plaintiff has encroached the public path to an extent measuring 0.14 guntas which passes through the land of the plaintiff in Sy.No.18,19, 20 and 21 and thus the Tahasildar, T.Narasipura who is the defendant No.1 herein has issued the notice dated 26.08.2016 to the plaintiff within his purview and there is no such illegality in issuance of such notice to the plaintiff. Such being the case*

without submitting his reply notice the plaintiff has filed this pre-mature suit to declare the said notice as null and void.

25. *That the Ex.P.107 is the said Notice dated 26.08.2016 issued by the Tahasildar, T.Narasipura to the plaintiff cautioning him to vacate the public path said to be encroached by him and per contra if the plaintiff fails to do so suitable action would be initiated against him for removal of encroachment at the costs of the plaintiff and further cautioning him that criminal case would be lodged against him under Section 192(A) of the Act, which is absolutely legal and this Court finds no illegality in the issuance of said notice to the plaintiff as the Tahasildar is empowered under the Statute to issue such notice. But without facing the said notice and without establishing his case before the Tahasildar, T.Narasipura, by issuing reply notice and facing the legal action proposed to be initiated by the Tahasildar, the plaintiff has filed this suit to declare the said notice as null and void, is not at all maintainable in the eyes of law.*

26. *Further initiation of the proceedings before the defendant No.1 by the defendant No.3 for redressal of her*

grievances cannot be held to be false by this Court as the said petition has to be adjudged by the defendant No.1 who is authorized under the KLR Act and further the truthfulness and veracity of the report submitted at Ex.P.108 by the Taluk surveyor has to be exposed before the defendant No.1 who preside over the Revenue Court. Such being the case mere pleadings by the plaintiff that the Taluk Surveyor has submitted false report and the defendant No.1 has issued unilateral notice holds no water. That the plaintiff without issuing reply notice and without facing the enquiry before the defendant No.1 has straightaway filed this suit without extinguishing the remedies available under the KLR Act and thus the suit filed by the plaintiff is not maintainable. Further the question of interference into the peaceful possession and enjoyment of the suit schedule properties as alleged by the plaintiff does not arise by initiation of the lawful proceedings before the defendant No.1 by the defendant No.3.

27. *As such in the light of the discussions held above, the plaintiff has utterly failed to prove the point No.1 to 3.*

Hence, I am inclined to answer the point No.1 to 3 in the Negative.

POINT No.4:

28. In view of my findings on the point No. 1 to 3 in the negative, the plaintiff is not entitled for the reliefs of declaration and permanent injunction as prayed for. Hence, I am inclined to answer the point No.4 in the Negative.

POINT No.5:

29. In view of the detailed discussions and conclusion arrived at point No.1 to 4, I proceed to pass the following:-

ORDER

The suit filed by the plaintiff is hereby dismissed with costs.

Draw decree accordingly.

(Partly dictated to the Stenographer on computer and partly typed by me directly on my laptop, computerized by her, corrected by me and then pronounced in the open court on this the 4th day of April, 2026.)

(Sachin H.R.)

*Prl. Civil Judge and J.M.F.C.,
T.Narasipura.*

:A N N E X U R E:**1. List of witnesses examined on behalf of plaintiff:**

P.W.1 : G.Nagarajamurthy

2. List of Documents marked on behalf of Plaintiff:

Ex.P.1 : Registered Will

Ex.P.2 : Registered Partition Deed

Ex.P.3 & 4: Mutation Orders

Ex.P.5 & 6: Loan Sanction Intimation

Ex.P.7 to 105: RTCs

Ex.P.106 : Letter dated 16.07.2015

Ex.P.107 : Notice issued by Def.No.1

Ex.P.108 : Report of Taluk Surveyor

Ex.P.109 : Objections submitted by plaintiff

Ex.P.110 to 129: RTCs

Ex.P.130 to 143: Photographs

Ex.P.144 : CD

3. List of Witnesses examined on behalf of Defendants:

-Nil-

4. List of documents marked on behalf Defendants:

-Nil-

(Sachin H.R.)

Prl. Civil Judge and J.M.F.C.,
T.Narasipura.

**(Order is pronounced in the open
court vide separate Judgment)**

ORDER

*The suit filed by the plaintiff
is hereby dismissed with costs.*

Draw decree accordingly.

***Prl. Civil Judge and J.M.F.C.,
T.Narasipura.***