



IN THE COURT OF THE CIVIL JUDGE & JMFC.,
AT MANVI

PRESENT: Sri Anand.H.Konnur, B.Com., LL.B.,
Civil Judge & JMFC.,
Manvi.

O.S.No.65/2025

Dated this the 04th day of June-2026

- Plaintiff:** 1. Ramanna S/o Nagappa,
Aged 50 years, Occ: Agriculture,
R/o Sangapur, Tq: Manvi, Dist: Raichur.
2. Mareppa S/o Nagappa,
Aged 38 years, Occ: Agriculture,
R/o Sangapur, Tq: Manvi, Dist: Raichur.

(By Virupakshi, Advocate)

V/s

- Defendants:** 1. Smt. Ademma W/o Timmappa,
Age 55 years,
2. Timmappa S/o Hanumanta
Dasar Kurugaru, **(DEAD)**
R/at Agase Near Naslapuru,
Tq: Manvi, Dist: Raichur.
3. Yallappa S/o Lankappa,
Age 60 years, Occ: Kenchamma Katte
near Naslapur, Tq: Manvi, Dist: Raichur.
4. Mayura D/o Shivamma,



Age 45 years, Near A.T.M Talkies, Manvi,
Tq: Manvi, Dist: Raichur.

(D-1, 3 & 4 are Exparte)

(D-2 Dead)

Date of institution of the suit	11-03-2025
Nature of the suit (suit on pronote, suit for declaration and possession suit for injunction, etc.,)	Permanent injunction.
Date of the commencement of recording of the evidence	08-01-2026
Date on which Judgment was pronounced	04-06-2026
Total Duration	Year/s Month/s Day/s 01 02 24

**Civil Judge & JMFC.,
Manvi.**

//JUDGMENT//

This is the suit filed by the plaintiffs against the defendants for the relief of permanent injunction.

The suit agricultural land bearing Sy.No.39/*/* measuring 02 acre situated in the limits of Naslapur village, Tq: Manvi, Dist:Raichur bounded as under:



East	:	Land of Dasareddy
West	:	Land of Nandihal
North	:	Land of Hanumanti
South	:	Land of Manikyamma

2. The brief facts of the plaintiff's case is as follows:

It is contention of the plaintiff is that, in the year 1988-89, 04 acre of land is granted to the plaintiff, its Sy.No.39/*/* measuring 02 acre out of 04 acre, 02 acre of land is mutated jointly in the name of plaintiff No.1 and 2, accordingly Record of Rights the name of the plaintiffs are entered. The defendant No.1 to 4 have trespassed into the land of the plaintiff and obstructing and restraining the plaintiffs by the defendants in using of the said land and trying to grab the land of the plaintiff. For that reason plaintiffs have approached the police station they have not taken any action and constrained to file the suit and prayed to grant the permanent injunction against the defendants from interfering over the suit property.

3. In the contrary the defendant No.1, 3 & 4 have not appeared before the court, hence they placed exparte. Defendant No.2 dead.



4. The following Points arise for my consideration are;
 1. Whether the plaintiffs are entitled for the relief as sought for?
 2. What order?
5. In order to prove the claim of the plaintiff, plaintiff No.1 has filed affidavit in lieu of his examination-in-chief examined himself as Pw.1 and got marked documents as Ex.P1. In support of plaintiff case, examined another two witnesses as PW-2 and 3.
6. Heard the learned counsel for plaintiff side.
7. My answer to the above points is as follows;
Point No.1 - In the Affirmative.
Point No.2 - As per the final order for
the following:

//REASONS//

8. **POINT NO.1:-** The plaintiffs have filed this suit against the defendants for the relief of Permanent Injunction. The plaintiffs have to prove their version, the plaintiff No.1 examined himself as PW-1 by filing affidavit in lieu of his examination-in-chief and reiterated the plaint averments plaintiff and documents got marked as Ex.P-1 on his behalf. The defendants have not filed any



written statement nor appeared before this court, hence they placed exparte.

9. In contrary defendants has not appeared through their counsel, the burden of proving the case is heavily lies on the plaintiff as asserted by him.

10. It is relevant to note that, on perusal of the evidence and pleadings of the plaintiff, sought for restraining the defendants causing interference and obstruction in the peaceful possession of the suit property. It is relevant to note that, the contention of the plaintiff is that, he is in possession over the suit property.

11. It is relevant to note that the documents produced by the plaintiff ie., Ex.P-1 is the Record of Rights in which Sy.No.39 is concerned, the plaintiff No.1 & 2 granted 02 acre of land by the Government with jointly, under the condition that not to transfer property for the period of 15 years. It is relevant to note that it is crystal the 02 acres of land is granted to the plaintiff by the government. Accordingly the plaintiff is in possession over the suit property.

12. it is relevant to note that in the name of defendant No.3, 02 acre land is standing, in the name of defendant



No.4, 03 acre land was granted by the Government. It shows that the defendant No.3 & 4 are in possession of the property granted by the Government in the name of defendant No.3 & 4 are in possession of the property granted by the government in the name of defendant No.1 & 2 there is no any land is granted by the Government. The land was granted by the Government even though the records can not conferred title, it is settled principal of law that always possession false title and the government will grant the land to the occupants on the verifying the physical possession after obtaining the panchanama from the concerned official then the government will grant the said lands to show that the plaintiff is in possession he has produced the Ex.P-1 in the said land. The suit property standing in the name of plaintiffs jointly itself is sufficient to hold that the suit property. The defendants are also holding lands in the said Sy.No.39. The defendants have not appeared nor contested the suit by appearing. If at all the defendants are in possession over the suit property and if they have got any right over the property they would have appeared and contested the case.



13. It is relevant note that the plaintiff has produced the relevant documents to show that he is the owner and in possession of the suit property. The evidence of Pw.1 remained unchallenged as defendants have not cross-examined by appearing and there is no contra evidence to disbelieve the evidence of plaintiffs.

14. It is settled principal of law that the revenue records can not confer, title, it is presumption about the possession. No doubt in this case the plaintiff is claiming the possession by virtue of ownership. In injunction suit the court has to look into who is in possession as on the date of the suit. It is settled principal of law that the trespasser can not evicted without due process of law.

15. It is further contention of the plaintiff that, the defendants made an illegal attempt to interfere with the plaintiffs peaceful possession. At this juncture, it is significant to note that, if really the defendants having right over the suit schedule property they could have challenged the claim of the plaintiffs. But they have not chosen to do so. In view of the unchallenged testimony of Pw.1 and the genuineness of Ex.P1 it is just and proper to draw the adverse inference against the defendants. To disbelieve the same there is no contra



evidence before the court. The plaintiffs have produced the cogent, material piece of evidence before the court in order to prove his contentions that he is in possession and enjoyment over the suit schedule property as well as alleged interference by defendants. Hence, the suit of the plaintiffs is deserves to be decreed against the defendants.

16. As stated supra, for the aforesaid reasons the court comes to conclusion that the plaintiffs have proved the possession over the suit property.

17. The documentary evidence produced by the plaintiffs are sufficient in showing the possession over the suit property. In this case plaintiffs have proved alleged interference. Hence, for the aforesaid reasons the plaintiffs are entitled for the relief's of permanent injunction as prayed for. Hence, Point No.1 is answered in the Affirmative.

18. Point No.2 :- For the reasons discussed supra, I proceed to pass the following:

ORDER

**The suit of the plaintiffs
are decreed with costs.**



**The defendants are
hereby restrained from
interfering over the suit
property.**

Draw decree accordingly.

(Dictated to Stenographer Directly through the computer, typed by her, revised and corrected by me and then pronounced in the Open Court, on this the 04th day of June-2026)

(ANAND.H.KONNUR)
CIVIL JUDGE & J.M.F.C.,
MANVI.

//ANNEXURE//

List of witnesses examined on behalf of the Plaintiff/s:

Pw.1 : Ramanna S/o Nagappa

List of documents marked on behalf of the Plaintiff/s:

Ex.P1 : Record of Right.

List of witnesses examined on behalf of the defendant/s:

-Nil-

List of documents marked on behalf of the defendant/s:

-Nil-

CIVIL JUDGE & J.M.F.C.,
MANVI.