



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

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

O.S.No.200/2025

Dated this the 06th day of June-2026

Plaintiff: Somashekar S/o Late.Devendrappa,
Aged 41 years, Occ: Agriculture,
R/o Bevinoor village, now at Machanur
village, Tq: Sirwar, Dist: Raichur.

(By S.L., Advocate)

V/s

Defendants:1. Hanumanna S/o Late.Earanna Tunakalvar,
Age 60 years, Occ: Agriculture,
2. Channappa S/o Late.Earanna Tunakalvar,
Age 55 years, Occ: Agriculture,
3. Umesh @ Ummanna
S/o Late.Earanna Tunakalvar,
Age 50 years, Occ: Agriculture,
4. Veeresh S/o Umesh @ Ummanna,
Age 25 years, Occ: Agriculture,

All are R/o Near Anganwadi School,
Bevinoor village, Hobli : Kallur,
Tq: Sirwar, Dist: Raichur.

(By R.K., Advocate)



Date of institution of the suit	07-08-2025
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	04-04-2026
Date on which Judgment was pronounced	06-06-2026
Total Duration	Year/s Month/s Day/s 00 09 30

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

//JUDGMENT//

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

The suit agricultural land bearing Sy.No.51/*E (Old) 51/*2 (New) measuring 02 acre 08 guntas including 01 gunta pot karab situated at Bevinoor village, allurer Hobli, Tq:Sirwar, Dist:Raichur bounded as under:

East : Land of Narasayya S/o Hemanna
West : Land of Rashmi D/o Rudrappa



North : Land of Nagappa S/o Timmappa
South : Land of Hanumanna S/o Earanna

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

It is contention of the plaintiff is that, one Yankappa @ Yanka S/o Hanuma R/o Bevinoor village, Tq: Sirwar was the original ancestor of family of plaintiff. The said yankappa had two sons namely 1) Devendrappa and 2) Bassappa. The said Yankappa @ Yanka died during the jointness of the family about long back. The said joint family was owning agriculture land bearing Sy.No.51/E (Old) 51/*2 (New) measuring 04 acre 28 guntas situated at Bevinoor village, Tq: Sirwar. The said sons of Yankappa ie., Devendrappa and Bassappa have jointly enjoying the said land as their joint family property. The said Devendrappa died 23 years back leaving behind a son by name Somashekar and a daughter by name Yankamma and his wife Smt.Channamma as his legal heirs and successors. They are jointly enjoying the said land as their joint family property.

The said Bassappa and children of said Devendrappa have got oral partition in the year 2004, in the said family partition 02 acre 20 guntas land allotted



the share of Bassappa and 02 acre 08 guntas including 01 gunta pot karab land towards southern side allotted to the share of said Devendrappa's children ie., Somashekar (Plaintiff) and Yankamma. After the oral partition the children of the Devendrappa not got mutated the said portion of land in their name immediately. The plaintiff and his family members have been in possession and enjoyment over the suit property from the year 2004 to till the date without anybody's interruption or interference. The plaintiff regularly paying the taxes to the Government. The defendants are no way concerned to the family of plaintiff and suit land in any manner. Now the plaintiff grown cotton crop in suit property. On 28.07.2025 the defendants without having any valid right, title over the suit property, they are illegally interfering the suit property and obstacle the agricultural operations. They are political influential persons in the village. Hence the plaintiff without any other go filed the present suit.

3. In the contrary the defendant No.1 to 4 have appeared before the court, but not filed any written statement and not contested the case, hence they placed exparte.



4. The following Points arise for my consideration are;
1. Whether the plaintiff is entitled for the relief as sought for?
 2. What order?
5. In order to prove the claim of the plaintiff, plaintiff has filed affidavit in lieu of his examination-in-chief examined himself as Pw.1 and got marked documents as Ex.P1 to 28. In support of plaintiff case, examined another witness by name Hanumesh as PW-2.
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 plaintiff has filed this suit against the defendants for the relief of Permanent Injunction. The plaintiff has to prove his version, the plaintiff 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



to Ex.P-28 on his behalf. The defendants have not filed any written statement nor appeared before this court they placed exparte.

9. In contrary defendants has appeared through their counsel, but not filed written statement, 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 to 28, Ex.P-1 to 25 are the Record of Rights, Ex.P-26 is the Mutation register, Ex.P-27 is the Tax paid receipt, Ex.P-28 is the Aadhar card of the plaintiff.

12. 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 & 2 remained unchallenged as defendants have not cross-



examined by appearing and there is no contra evidence to disbelieve the evidence of plaintiff.

13. 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 be evicted without due process of law.

14. 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 plaintiff. But they have not chosen to do so. In view of the unchallenged testimony of Pw.1 & 2 and the genuineness of Ex.P1 to Ex.P-28 it is just and proper to draw the adverse inference against the defendant. To disbelieve the same there is no contra evidence before the court. The plaintiff has 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.

15. As stated supra, for the aforesaid reasons the court comes to conclusion that the plaintiff has proved the possession over the suit property.

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

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

ORDER

**The suit of the plaintiff is
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 06th day of June-2026)

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

//A N N E X U R E//

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

Pw.1 : Sri.Somashekhar S/o Late.Devendrappa
Pw.2 : Sri.Hanumesh S/o Ramanna

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

Ex.P1 to 25: Record of Rights
Ex.P26 : Mutation Register
Ex.P27 : Tax paid receipt
Ex.P28 : Aadhar card

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.**