

KARN020012632018



Presented on : 14-12-2018
Registered on : 14-12-2018
Decided on : 24-06-2026
Duration : 07 years, 06 months, 10 days

**IN THE COURT OF I ADDL. SENIOR CIVIL JUDGE & JMFC.,
RAMANAGARA**

:PRESENT:

Smt.Niveditha.T.M., BA.L., LL.B.,
I Addl. Senior Civil Judge & JMFC.,
Ramanagara.

FDP No.41/2022

DATED : THIS THE 24th DAY OF JUNE, 2026

- Petitioner :
1. Smt.Jayalakshmi,
W/o. L.Byrappa,
Aged about 60 years,
R/at: No.361, Maruthi Nilaya,
1st Floor, 2nd Cross,
A.E.C.S. 3rd Stage,
Nagashettihalli,
Bengaluru-94.
 2. Chikkathayamma,
D/o. Ramegowda @ Kempegowda,
Aged about 58 years,



3. Vasanthamma,
D/o. Ramegowda @ Kempegowda,
Aged about 56 years,
4. Saraswathi,
D/o. Ramegowda @ Kempegowda,
Aged about 52 years,
5. Puttamma,
D/o. Ramegowda @ Kempegowda,
Aged about 50 years,

Petitioners No.2 to 5 are all R/at:
Malurupatna,
Channapatna Taluk,
Ramanagara District.

6. Smt.Shanthamma,
W/o. Renukaiah,
Aged about 54 years,
R/at: Avverahalli,
Kailancha Hobli,
Ramanagara Taluk and District.

Rep by Sri.KMJ., Advocate)

- Respondent :**
1. Sri.Shivalingaiah,
S/o. Late Manchegowda,
Since deceased Rep by his LR's
 - a) Smt.Kempajamma,
W/o. Late Shivalingaiah,



Aged about 70 years,

- b) Mamatha,
D/o Late Shivalingaiah,
Aged about 36 years,
- c) Bebi,
D/o. Late Shivalingaiah,
Aged about 34 years,
- d) Odegowda,
S/o. Late Shivalingaiah,
Dead, No LR's

1st respondent LR's are all
R/at: Hosadoddi Village,
Lakkojanahalli Post,
Kailancha Hobli,
Ramanagara Taluk & District.

- 2. Jayarama K,
S/o. Late Kempanna,
Aged about 55 years,
R/at: No. 25, 1st Cross,
Sudhma Nagara,
Bengaluru-27.

(R-1(a & c) Rep by Sri.LNC., Advocate),
(R-1(b) dead)
(R-2 Reb by Sri.GK., Advocate).

* * * *

**JUDGMENT*****(Delivered on 24/06/2026)***

The petitioners have filed the petition under Order XX Rule 18 R/w Section 54 of CPC., to pass a final decree proceeding as prayed in the petition and such other reliefs.

2. The case of the petitioner in brief is as under :

The petitioners have filed this petition seeking for final decree proceedings to effect partition. The petitioner had filed suit in OS.No.430/2008 seeking for partition and separate possession and for other reliefs with respect to suit schedule properties against the defendants. Further the said suit came to be decreed on 03.09.2018, wherein in the said judgment and decreed the plaintiffs are jointly entitled for 1/4th share in item No.1 to 3 of the suit schedule properties. Further the suit schedule property is



agricultural land property and the partition is to be effected by revenue authorities. Hence, the present petition.

3. After service of notice, the respondents appeared before the court through their counsel, but they failed to file the statement of objections.

4. Heard arguments of learned counsel for the petitioners on main petition and perused the materials available on record.

5. The following points arise for my determination:

1) *Whether the petitioners is entitled for the relief?*

2) *What order?*

6. My findings on the above points are as under:

Point No.1 :- *In the Affirmative;*

Point No.2 :- *As per final order
for the following:*

REASONS



7. **Point No.1:-** The petitioners have filed this petition seeking for final decree proceedings to effect partition. The petitioner had filed suit in OS.No.430/2008 seeking for partition and separate possession and for other reliefs with respect to suit schedule properties.

After service of summons respondents have appeared before the court through their counsel but did not filed the objections to the final decree proceedings. The commissioner warrant was issued with the memo of instructions to execute the decree in OS.No.430/2008, the commissioner has field report with respect to the suit schedule properties. Further both the parties have not filed the any objections to the commissioner report.

8. I have gone through the commissioner reports with respect to the suit schedule item No.1 to 3 properties in OS.No.430/2008. The commissioner reports are in accordance with law. They have issued notice both the



parties before surveying the properties, they have filed detailed reports before this court. The commissioner reports is a part and parcel and do not find any discrepancies with commissioner reports and also correct and proper. Hence, the commissioner reports filed with respect suit schedule item No.1 to 3 properties is accepted. Hence, the petitioners are entitled for the relief as claimed by them. Accordingly,

Point No.1 is answered in the Affirmative.

9. **Point No.2:** - In view of the above said reasons, I proceed to pass the following:

ORDER

The Petition filed under Order XX Rule 18, R/w Section 151 of CPC., is allowed with costs.

Draw final decree as per the commissioner reports with respect to suit schedule item No.1 to 3 properties in terms of preliminary decree.

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(Dictated to the Stenographer in-part and directly on the computer and computerized by him, corrected, signed and then pronounced by me in the Open Court on this the **24th day of June 2026**)

(Smt.Niveditha.T.M)
I Addl. Senior Civil Judge & JMFC.,
Ramanagara.