

KASM710003542025



IN THE COURT OF SENIOR CIVIL JUDGE AND JMFC, SORABA

PRESENT

SRI.R.CHANDRAPPA HONNUR, M.A.LL.B(Spl.)

Senior Civil Judge and JMFC, Soraba.

DATED THIS THE 9TH DAY OF MARCH 2026

OS NO.54/2025

PLAINTIFF: Smt. Bharathi

// Versus //

DEFENDANTS: Smt. Sannamma and others

ORDER ON PRELIMINARY ISSUE

The plaintiffs have filed a suit for partition and separate possession of her share in the suit schedule properties. In pursuance of the summons, the defendants have appeared through their counsel. The defendants No.1, 4 and 6 have filed a common written statement. The defendants No.2, 3 and 5 have filed separate written statement. The defendant No.7 has adopted the written statement of defendant No.3 by filing a memo. The defendants No.3 and 7 have taken contentions in para-8 of the written statement that the suit is overvalued and court

fee paid is not proper hence, this court has no pecuniary jurisdiction to try the suit.

2. On the basis of above pleadings, the court has framed the following issue No.7 on the point of pecuniary jurisdiction.

Issue No.7: Whether the defendants No.3 and 7 prove that the suit is overvalued hence, this court has no pecuniary jurisdiction to try the suit?

3. Learned counsel for both sides have submitted that their arguments may be taken as heard. Perused the material on record.

4. My finding to the above issue as follows:

Issue No.7: In the negative

REASONS

5. **ISSUE NO.7:** The plaintiff has filed a suit against the defendants for partition and separate possession of the suit properties. The plaintiff has valued the suit properties at Rs.62,00,000/-. The 1/8th share of the plaintiff valued at Rs.7,75,000/- and paid court fee of Rs.200/- U/Sec. 35(2) of the Karnataka Court Fee and Suits Valuation Act.

The defendants No.3 and 7 have not placed any material on record to show that the plaintiff has overvalued the suit. Therefore, I am of the view that this court has got pecuniary jurisdiction to try the suit. Accordingly, issue

No.7 answered in the negative and I proceed to pass the following:

ORDER

This court has got pecuniary jurisdiction
to try the suit.

(Dictated to the stenographer directly on computer, corrected and then pronounced by me in the open court on this the 9th day of March, 2026)

(SRI. R.CHANDRAPPA HONNUR)
Senior Civil Judge & JMFC, Soraba