



**IN THE COURT OF THE PRL. CIVIL JUDGE & JMFC AT
GUBBI.**

:: PRESENT ::

**SRI. KIRAN. S.P. B.B.M., L.L.B.,
Prl. Civil Judge & JMFC, Gubbi.**

Dated this the 1st day of June 2026

O.S. No.285/2019

PLAINTIFF/S:- Ramesh S/o Revannasiddaiah,
Aged about 45 years,
R/at Tyagatur, Nittur hobli,
Gubbi taluk.

(By Sri. K.M.S., Advocate)

-V/S-

DEFENDANT/S:- 1. Siddalingaiah S/o Late Ramaiah,
Aged about 65 years,

2. Renukaiah S/o Siddalingaiah,
Aged about 39 years

Both are R/at Tyagatur,
Nittur hobli, Gubbi taluk.

3. Jayamma D/o Siddalingaiah,
W/o Veerabhadraiah,
Aged about 42 years,
R/at Hindisgere, C.S.Pura hobli,
Gubbi taluk.

**(Def. No.3 by Sri. M.R.P., Advocate)
(Def. No.1 & 2 by Sri. S.R., Advocate)**



Date of institution of the suit	06.09.2019		
Nature of the suit	Declaration and Permanent Injunction		
Date of commencement of Recording of evidence	02.08.2022		
Date on which the Judgment was pronounced	01.06.2026		
Total Duration	Year/s	Month/s	Day/s
	06	08	26

J U D G M E N T

The plaintiff has filed this suit against the defendants for the relief of declaration of his title over the suit schedule property and for cancellation of compromise decree dated:08.12.2018 in O.S. No.351/2018 and for permanent injunction restraining the defendants from interfering with the plaintiff's peaceful possession and enjoyment of the suit schedule property and for costs and such other relief.

2. The brief facts of the plaintiff's case is that;

The plaintiff is the absolute owner in possession and enjoyment of the suit schedule property bearing Sy. No.17/1Ap3 measuring 20 guntas situated at Tyagatur Amanikere, Nittur hobli, Gubbi taluk. As per the pedigree one Late. Revanna and his wife Revamma had two sons by name Revannasiddalaih and Chandraiah. The said Chandraiah S/o Revanna died leaving behind his wife and 2 sons by name Lakshamma, Prakash and Pradeep. The suit schedule property bearing Sy. No.17/1 totally



measuring 1 acre 33 guntas Originally belonged to Ramaiah S/o Siddalingaiah. The said Ramaiah sold the property bearing Sy No. 17/1 measuring 0.20 guntas through registered sale deed dated:05-8-1956 to one Revanna S/o Siddaiah. Again in the year 13-02-1971 the said Ramaiah S/o Siddalingaiah and his wife Yallamma sold 0.10 guntas in the said Sy. No.17/1 through registered sale deed to Revanna S/o Siddaiah. The said Ramaiah and his wife Yallamma sold the said property on behalf of his minor sons by name Siddalingaiah, Siddaiah and Revannasiddaiah. Again in the year 03-07-1971 the said Ramaiah S/o Siddalingaiah and his wife Yallamma and his son Siddalingaiah sold 0.20 guntas in the said Sy. No.17/1 through registered sale deed to Revanna S/o Siddaiah. The said Ramaiah and his wife Yallamma sold the said property on behalf of his minor sons by name Siddaiah and Revannasiddaiah. The remaining extent measuring 20 guntas was also sold by Ramaiah and his family members to Muddarangaiah, the katha and pahani stands in the name of Shivanna S/o Late Muddarangaiah of Sy. No.17/1AP1. Totally the said Revanna S/o Siddaiah has purchased 1 acre 10 guntas in Sy. No.17/1 under the above said three registered sale deeds from the said Ramaiah S/o Siddalingaiah and his family members. After durasth Survey number has been numbered as 17/lap2 17/1b and katha and pahani is also changed into the name of Revanna S/o Siddaiah measuring 0.22 guntas and 0.08 guntas. The remaining 0.20



guntas stands in the name of vendor Ramaiah in sy no. 17/1ap3. In sy no. 17/lap3, 0.03 guntas was left of chanal. After purchase the said Revanna was in peaceful possession and enjoyment of the above said property till his death. The said Revanna and his wife Revamma died leaving behind his two sons by name Revannasiddaiah and Chandraiah. The said Chandraiah also died leaving behind his two sons by name Prakash and Pradeep. After the death of Revanna his sons succeeded to the suit schedule property and other properties. In the year 17-02-2006 the said Revannasiddaiah and his sons and Lakshamma W/o Chandraiah divided there ancestral and joint family properties through Panchayath parikath. After partition they are in possession and enjoyment of their respective shares. The suit schedule Sy. No.17/1 totally measuring 1 acre 10 guntas was also partitioned. During the time of partition the suit schedule property bearing Sy. No.17/1 measuring 1 acre 10 guntas fallen to the share of plaintiff. The plaintiff is in possession and enjoyment of the property including the suit schedule property. The defendant No.1 and his father by name Ramaiah and his brothers by name Siddaiah and Revannasiddaiah have sold the property bearing Sy. No.17/1 measuring 1 acre 10 guntas including the suit schedule property to the grand-father of the plaintiff under the above said three registered sale deed. The plaintiff has invested huge amount to make the suit schedule property into fertile land and growing regular crops and also paying kadayam regularly to the



government. The defendants colluding with each other by suppressing the real fact has filed a suit among themselves in O.S. 351/2018 on the file of the learned Prl. Civil Judge and JMFC., Gubbi for the relief of partition in respect of the suit schedule property. The defendants colluding with each other obtained collusive compromise decree. After obtaining the compromise decree the defendant No.2 has changed the katha and pahani into his name colluding with the revenue officials. The defendants were conversing in the village that katha and pahani is made out in the name defendant No.2 for the suit schedule property. Then the plaintiff obtained the documents for the suit schedule property. The defendant No.2 has also filed another suit in O.S. No.158/2019 on the file of Addl. Civil Judge & JMFC at Gubbi for recovery of possession against the plaintiff. The defendants behind the back of the plaintiff in collusion with the local revenue officials with an intention to defraud and just to give an harassment to the plaintiff, has created some documents pertaining to the suit schedule property and changed the katha and pahani into his name. The defendants are having no manner of right, title or possession the suit schedule property. The defendants to harass the plaintiff and also to grab the suit schedule property if possible by taking undue advantage have obtained the Decree. The defendants have no right to do so in the eye of law. The defendants being backed with political influential persons, now on the strength of the Decree they are trying to



disposes the plaintiff from the suit schedule property. The defendants are attempting to interfere over the suit schedule properties forcibly, illegally by taking law into their hands with the help of rowdy elements and thus they are interfering with the plaintiff peaceful possession and enjoyment of the suit schedule property. On these grounds, he prays to decree the suit.

3. After service of suit summons to the defendants, the defendant No.1 to 3 appeared before the court through their respective counsel; but they have not filed their written statement.

4. In support of the case, the plaintiff got examined as PW-1 and got marked as many as 12 documents as Ex.P-1 to Ex.P-12 and closed his side of evidence.

5. Heard counsel for plaintiff.

6. On the basis of the above pleadings of the plaintiff, the following points have been arisen for the consideration of this court;

1. Whether the plaintiffs are entitled for the suit claim?

2. What order or decree?

7. The findings on the above points are as follows;

Point No.1:

In the affirmative,

Point No.2:

As per final order,



for the following;

REASONS

8. POINT No.1: It is case of the plaintiffs that the plaintiff is the absolute owner in possession and enjoyment of the suit schedule property bearing Sy. No.17/1Ap3 measuring 20 guntas situated at Tyagatur Amanikere, Nittur hobli, Gubbi taluk. As per the pedigree one Late. Revanna and his wife Revamma had two sons by name Revannasiddalaih and Chandraiah. The said Chandraiah S/o Revanna died leaving behind his wife and 2 sons by name Lakshamma, Prakash and Pradeep. The suit schedule property bearing Sy. No.17/1 totally measuring 1 acre 33 guntas Originally belonged to Ramaiah S/o Siddalingaiah. The said Ramaiah sold the property bearing Sy No. 17/1 measuring 0.20 guntas through registered sale deed dated:05-8-1956 to one Revanna S/o Siddaiah. Again in the year 13-02-1971 the said Ramaiah S/o Siddalingaiah and his wife Yallamma sold 0.10 guntas in the said Sy. No.17/1 through registered sale deed to Revanna S/o Siddaiah. The said Ramaiah and his wife Yallamma sold the said property on behalf of his minor sons by name Siddalingaiah, Siddaiah and Revannasiddaiah. Again in the year 03-07-1971 the said Ramaiah S/o Siddalingaiah and his wife Yallamma and his son Siddalingaiah sold 0.20 guntas in the said Sy. No.17/1 through registered sale deed to Revanna S/o Siddaiah. The said Ramaiah and his wife Yallamma sold the said property on behalf of his minor sons by



name Siddaiah and Revannasiddaiah. The remaining extent measuring 20 guntas was also sold by Ramaiah and his family members to Muddarangaiah, the katha and pahani stands in the name of Shivanna S/o Late Muddarangaiah of Sy. No.17/1AP1. Totally the said Revanna S/o Siddaiah has purchased 1 acre 10 guntas in Sy. No.17/1 under the above said three registered sale deeds from the said Ramaiah S/o Siddalingaiah and his family members. After durasth Survey number has been numbered as 17/lap2 17/1b and katha and pahani is also changed into the name of Revanna S/o Siddaiah measuring 0.22 guntas and 0.08 guntas. The remaining 0.20 guntas stands in the name of vendor Ramaiah in sy no. 17/1ap3. In sy no. 17/lap3, 0.03 guntas was left of chanal. After purchase the said Revanna was in peaceful possession and enjoyment of the above said property till his death. The said Revanna and his wife Revamma died leaving behind his two sons by name Revannasiddaiah and Chandraiah. The said Chandraiah also died leaving behind his two sons by name Prakash and Pradeep. After the death of Revanna his sons succeeded to the suit schedule property and other properties. In the year 17-02-2006 the said Revannasiddaiah and his sons and Lakshamma W/o Chandraiah divided there ancestral and joint family properties through Panchayath parikath. After partition they are in possession and enjoyment of their respective shares. The suit schedule Sy. No.17/1 totally measuring 1 acre 10 guntas was also partitioned. During the time of partition the suit schedule property bearing Sy. No.17/1



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has created some documents pertaining to the suit schedule property and changed the katha and pahani into his name. The defendants are having no manner of right, title or possession the suit schedule property. The defendants to harass the plaintiff and also to grab the suit schedule property if possible by taking undue advantage have obtained the Decree. The defendants have no right to do so in the eye of law. The defendants being backed with political influential persons, now on the strength of the Decree they are trying to disposes the plaintiff from the suit schedule property. The defendants are attempting to interfere over the suit schedule properties forcibly, illegally by taking law into their hands with the help of rowdy elements and thus they are interfering with the plaintiff peaceful possession and enjoyment of the suit schedule property.

9. In support of the case, the plaintiff got examined as PW-1 and filed affidavit in lieu of his examination in chief by reiterating the plaint averments and got marked 12 documents in support of his case. On the other hand the defendants have not taken pain to contest the suit.

10. The Ex.P-5 to 7 are the sale deeds and they are substantiated fact of execution of sale deeds as contended by the plaintiff. The plaintiff has filed the suit for the relief of declaration of title and for permanent injunction against the defendants. The burden is upon the plaintiff to prove that he is the absolute owner



and he has been in peaceful possession and enjoyment of suit schedule property and defendants illegally interfere with the peaceful possession and enjoyment of the plaintiff over the suit schedule property. In the instant suit the defendants have not taken pain to contest the suit. All aforesaid documents show that the plaintiff is the absolute owner of the suit schedule property by virtue of sale deeds which are marked as Ex.P-5 to 7 and he has been in possession and enjoyment of the suit schedule property. The evidence of PW-1 is remained unchallenged and there is no contra evidence to disbelieve the evidence of PW-1.

11. The plaintiff has filed the suit based upon oral evidence of PW-1 and documentary evidence as per Ex.P-1 to Ex.P-12. The said documents are not disputed by the defendants. Hence, the contents of PW-1 are sufficiently proved by pleadings as well as documentary evidence. The defendants have not taken pain to contest the suit. The plaintiff has proved his contention by producing cogent materials piece of evidence before the court. Further, the evidence of PW-1 along with documentary evidence marked at Ex.P-1 to Ex.P-12 makes it clear that the plaintiff is entitled for the relief sought. Accordingly point No.1 is answered in the **affirmative**.

12. POINT No.2: For the foregoing reasons, this court proceeds to pass the following;



ORDER

The Suit of the plaintiff is hereby decreed with cost.

It is declared that the plaintiff is the absolute owner of the suit schedule property.

The defendants are hereby restrained from interfering with the peaceful possession and enjoyment of the suit schedule property by the plaintiffs.

The compromise decree dated:08.12.2018 in O.S. No.351/2018 is hereby canceled.

Draw Decree Accordingly.

(Orders dictated to the stenographer on-line computer, computerized by her, revised, corrected and then pronounced by me in open court on this 1st day of June 2026)

Sd/-
(KIRAN S.P.)
Prl. Civil Judge & JMFC.,
Gubbi.

ANNEXURE

1. List of witnesses examined on behalf of Plaintiff:

PW.1 : Ramesh

2. List of documents marked on behalf of Plaintiff:

Ex.P-1 to 3 : RTC extracts
Ex.P-4 : Mutation register extract
Ex.P-5 to 7 : Registered sale deeds
Ex.P-8 & 9 : Encumbrance certificates



- Ex.P-10 : Certified copy of order sheet of O.S.
No.351/2018
- Ex.P-11 : Certified copy of plaint of O.S.
No.351/2018
- Ex.P-12 : Certified copy of Written statement of
O.S. No.351/2018

3. List of witnesses examined on behalf of Defendant:

- NIL -

4. List of documents marked on behalf of Defendant :

- NIL -

Sd/-
(KIRAN S.P.)
Prl. Civil Judge & JMFC.,
Gubbi.