

DW-1-18/7/26

Prl. Senior Civil Judge & JMFC
MADHUGIRI

**IN THE COURT OF THE PRL. SENIOR CIVIL JUDGE AND
J.M.F.C. AT MADHUGIRI**

O.S.No; 163 / 2023

Plaintiff

V/S

Defendant

Chowdappa

Leeladhar

Examination- in- chief of the Defendant by way of
Affidavit:-

I. Sri, Leeladhar son of late, Ashwatharamaiah, the defendant in the above case do hereby solemnly affirm and state on oath as follows;-

The address of this defendant is given below

Name ; Sri, Leeladhar

Father Name ; Late, Ashwatharamaiah

Aged ; 49 years,

Occupation ; Lab Technician

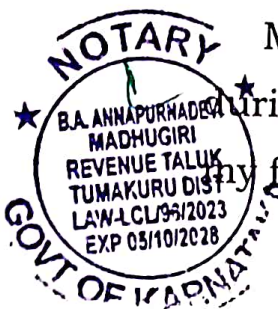
Resident ; Kithagalli village

Dodderi Hobli,

Madhugiri Taluk.

I am the defendant in the above case and well acquainted with the facts of the case. The plaintiff have filed this suit against me, for the relief of partition and separate possession in respect of the suit schedule properties.

My grandfather the Chikkanna had landed properties, during his life time he and his son Ashwathramaiah who is my father are in possession and enjoyment of said properties,



No. of Corrections:- nil

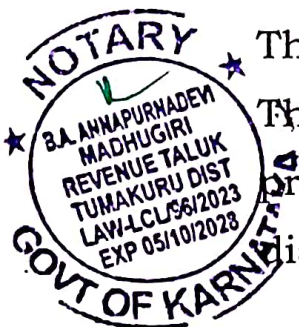
my father had four children by their names Chowdamma, Gopala Chowdappa who is the plaintiff in this case and I. My father was sold the said properties thereafter he had purchased the suit A schedule properties. My father and his children are in joint possession and enjoyment of the suit A schedule properties. My father had look after the joint family affairs as a Kartha of the family. The elder daughter Chowdamma was died leaving behind his husband and children, they are proper and necessary parties to this suit. The elder son Gopala was died un-married. After their death the plaintiff and I am and my father are in possession and enjoyment of the suit A. schedule properties. The plaintiff and I am and my father were divided A schedule properties under the un-registered partition deed on 7-2-2023. As per partition the land bearing survey number 129/1 towards northern side two rooms and southern side two rooms fallen to the share of my father and land bearing survey number 112/1 measuring 1-01 guntas and water right bore well situated in land bearing survey number 113/2 is fallen to the share of my father. The land bearing survey number 129/1 towards southern side half house and site, land bearing survey number 118/11 towards southern side 0-10 guntas, land bearing 118/11A towards southern side 0-06 guntas and land bearing survey number 113/2 measuring 1-03 guntas water right and right to way areca garden and coconut garden was fallen to the share of plaintiff. The land bearing 129/1 towards northern side half



house, land bearing survey number 118/11 measuring 0-10 guntas and land bearing survey number 118/1A towards northern side measuring 0-06.08 guntas and land bearing survey number 113/4 measuring 1-00 acre, land bearing survey number 113/5 measuring 0-32 guntas -13 guntas water right and right to way areca garden and coconut garden was fallen to my share.

It is submitted that the gold ornaments belonged to my mother has given to the elder daughter Chowdamma instead of her share. After partition the plaintiff and I and my father are in possession and enjoyment of their allotted share, but the revenue entries was standing in the name of their my father. I was working as Lab Technician at Gowribidanur and have salary from my job and I was invest the huge amount to the development of his lands by raising areca garden and coconut garden and he had also dug two bore well in his share. my father was died due to ill-health at the time of COVID-19, there after my mother was also died during the year 2021. At that time all the gold ornaments given to the daughter Chowdamma. Thus, the Suit A schedule properties are divided in between me and plaintiff and we have separate possession and enjoyment of our allotted share.

There is no existence of joint family and joint possession. There is no existence of B schedule properties. Hence, the present suit is not maintainable and it is liable to be dismissed.



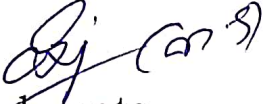
No. of Corrections:- Nil

The plaint averments in this case are all false and denied herewith. That I am produced the documents in the suit and the same may kindly be marked as exhibits.

Wherefore, it is humbly prays that this Hon'ble court be pleased to Dismissed the suit of the plaintiff with cost, in the interest of Justice.

I do swear in the name of the God the contents of this affidavit are all true and correct to the best of my knowledge belief and information.

Identified by me


Advocate

Madhugiri

Date 18-07-2026




Deponent

SWORN TO BEFORE ME


B.A. ANNAPURNADEVI, B.A., LL.B
ADVOCATE & NOTARY
GOVT. OF KARNATAKA
Bus Stand Road,
MADHUGIRI - 572132
Tumkur Dist

18/7/2026

No. of Corrections:- Nil

ದಿನಾಂಕ: 18-07-2026 ರಂದು ಸಾಕ್ಷಿಗೆ ಪ್ರಮಾಣ ವಚನ ಬೋಧಿಸಲಾಯಿತು.

ಮುಖ್ಯ ವಿಚಾರಣೆ:- ಪ್ರತಿವಾದಿ ಪರವಾಗಿ: ಶ್ರೀ. ಎಂ.ಎಸ್. ವಕೀಲರಿಂದ:-

ನನ್ನ ಮುಖ್ಯ ವಿಚಾರಣೆಯ ಸಲುವಾಗಿ ಪ್ರಮಾಣ ಪತ್ರವನ್ನು ಸಲ್ಲಿಸಿದ್ದು, ಅದರಲ್ಲಿರುವ ಅಂಶಗಳೆಲ್ಲಾ ಸರಿಯಾಗಿವೆ ಮತ್ತು ಸತ್ಯವಾಗಿವೆ ಎಂದು ಪ್ರಮಾಣೀಕರಿಸಿ ನನ್ನ ಸಹಿ ಮಾಡಿರುತ್ತೇನೆ.

ಈ ಹಂತದಲ್ಲಿ ವಕೀಲರ ವಿನಂತಿ ಮೇರೆಗೆ ಮುಂದುವರಿದ ಮುಖ್ಯ ವಿಚಾರಣೆಯನ್ನು ಮುಂದೂಡಲಾಯಿತು.

(ತೆರೆದ ನ್ಯಾಯಾಲಯದಲ್ಲಿ ಸಾಕ್ಷಿ ನುಡಿದಂತೆ ಗಣಕೀಕೃತಗೊಳಿಸಲಾಯಿತು)

ಓ.ಹೆ.ಸಾ.ಸ.ಇ.ಬ.

ಪ್ರಧಾನ ಹಿರಿಯ ಸಿವಿಲ್ ಜಡ್ಜ್
ಮತ್ತು ಜೆಎಂಎಫ್‌ಸಿ, ಮಧುಗಿರಿ