

**IN THE COURT OF THE IV ADDITIONAL CIVIL JUDGE & JMFC,
BALLARI.**

**Present:- Roopa Chinivar,
M.Sc., LL.B.,**

IV Addl. Civil Judge and JMFC, Ballari

Dated this 10th day of January, 2023

O.S. No. 605/2022

Plaintiffs: -

1. Anusuyamma W/o Late. Makappa , 58 years, R/o Uluru village, Talur post, siruguppa taluk , Ballari district.
2. K. Manjunatha s/o Late. Makappa, 32 years, r/o Uluru villge, Talur post, Siruguppa taluk and Ballari district.
3. K. Gangadhar s/o Late. Makappa, 29 years, r/o Uluru villge, Talur post, Siruguppa taluk and Ballari district.
4. K. Shagamma W/o Yerriswamy, 28 years, r/o Uluru villge, Talur post, Siruguppa taluk and Ballari district.
5. K. Latha W/o Ramakrishna, D/o Late. Makappa, 23 years, R/o Korlagundi village, Ballari taluk and district.

//Vs//

Defendant:-

Mudukappa S/o Piddappa , 55 years, R/o Rudrapada village, Siruguppa Taluk and Ballari district.

CLAIM:-

Suit to pass a judgment and decree in favour of the plaintiff as against the defendants.

- a) Declare the plaintiff's are absolute owner of the suit schedule property.
- b) Restrain the defendant, his men, agents, servants, assignees, who ever claim rights under him from interfering with the peaceful possession and enjoyment of the sit schedule property in any manner what so ever in nature by way of permanent injunction.
- c) For costs of the suit and grant such other reliefs.

Suit filed on : 10-10-2022

Value of the suit : Rs. 1,000/-

Court fee paid : Rs. 25/-

Cause of action arose on: 28-02-2003

DECREE :-

This suit coming on this day for final disposal before me, in presence of **Sri. B.R.**, advocate for plaintiffs and defendant by **Sri. H.H.**, advocate and the same having stood over to this day for consideration, both the parties have filed joint compromise petition The same is read over and explained to both parties as per Joint compromise petition under order 23 rule 3 of C.P.C.. Plaintiff and defendant herein have settled the matter amicably.

The suit is decreed in terms of compromise petition in as follows :-

1. It is ordered and decreed that, the case is settled as per terms and condition of the joint compromise petition under order 23 rule 3 R/W of C.P.C. filed by the plaintiffs & defendant .
2. It is further order and decreed that, defendant agreed that, plaintiffs are the absolute owners of the suit schedule property. He will not claim any right under the registered will deed bearing document No. 295/
3. It is further order and decreed that, The plaintiff and defendants /have taken possession of the above said schedule property/land today itself-- Book No.3. sub registrar office Ballari dated and the plaintiff and defendants have right to mutate before the concerned authorities in respect of their share as divided, allotted and described above. The said will nama declared as null and void.

4. It is further order and decreed that, he will not interfere the enjoyment of the suit schedule property by the plaintiffs in any manner whatsoever in nature and he has no objection to grant permanent injunction in favour of the plaintiff against him.
5. It is further ordered and decreed that, in this suit joint compromise petition under order 23 rule 3 R/w 151 of C.P.C. filed by plaintiffs and defendant in all form part and parcel of the decree.

Given under my hand and seal of this Court this the 10th day of January, 2023.

Schedule

Land bearing Sy. No. 387/A measuring 2.00 acres situated at Kappagal village, Kolur Hobali within the Registration and sub registration district of Ballari having following boundaries.

Boundaries:-

East:- Land belongs to the Goravara Honnurappa,
 West:-Land belongs to Piddamma.
 North:- Land belongs to the Nenike Peerannana
 South:- remaining land of Makappa.

MEMORANDUM OF COSTS

	<u>Plaintiffs</u>	<u>Defendant</u>
1. Court fee on plaint	25-00	--
2. Court fee on vakalath	01-00	1-00
3. Court fee of Process	--	--
4. Typing Charges.	--	--
5. Advocates fee	Compromised.	Compromised.
Total	26-00	1-00

Decree Drafted on :24-01-2023

Decree Signed on :25-01-2023