

**IN THE COURT OF SENIOR CIVIL JUDGE,
KUNDAPURA.**

PRESENT : Sri RAJU N. B.A., LL.B.
Senior Civil Judge
Kundapura.

Dated :- This the 5th day of April, 2025.

O.S.No.2/2025

Vidyashree & another Plaintiffs
/ Vs /
Radha & others Defendants

ISSUES

1. Whether the plaintiffs prove that themselves and defendant No.1 to 30 are undivided aliya santhana joint family members in the family of the Durgi Hengsu and who was the maternal great grand mother of the plaintiff No.1 ?
2. Whether the plaintiffs prove that A schedule properties in item No.1 to 8 are undivided aliya santhana joint family properties and who are in possession and enjoyment of the same allotted to the branch family of defendant No.1 under the oral partition took place in the year 1958 and which have been subsequently granted by the land Tribunal in the name of defendant No.1 for and on behalf of her aliya santhana joint family in TRI No.4220/1977-78 ?
3. Whether the defendant No.8 proves that one Rama and Annayya sons of Durgi Hengsu obtained the suit schedule property on chalageni under chalageni yadurunudi dated 24-11-1958 for the benefit of defendant No.1 and said Rama and Annayya have transferred their rights in favour of defendant No.1 under the registered document bearing No.685/1969-70 registered in S.R.O., Kundapura dated 10-12-1969 ?
4. Whether the defendant No.8 proves that A schedule properties are granted by the Land Tribunal in TRI No.4220/1977-78 under individual capacity of the defendant No.1 ?
5. Whether the defendant No.8 proves that the defendant No.1 voluntarily executed settlement deed in his favour registered on 04-09-2023 in respect of item No.1, 2, 6 and 7 of the A schedule properties ?

6. Whether the defendant No.8 proves that he being absolute owner based on the settlement deed dated 04-09-2023 sold the said items in favour of defendant No.31 under the registered sale deed dated 16-11-2024 which is valid in law and defendant No.31 is in exclusive possession of the said lands ?
7. Whether the plaintiffs prove that settlement deed dated 04-09-2023 and sale deed dated 16-11-2024 are created and fraudulent documents and not binding on the right of the plaintiffs ?
8. Whether the plaintiffs are entitled for the relief of partition and separate possession as sought ?
9. What decree or order ?

Senior Civil Judge,
Kundapura.