

KAVN200005642023



**IN THE COURT OF THE SENIOR CIVIL JUDGE AND  
J.M.F.C., KUDLIGI**

**PRESENT : SRI. YOGESHA. J., B.A., LL.B.,  
SENIOR CIVIL JUDGE AND JMFC, KUDLIGI**

**DATED THIS 11<sup>TH</sup> DAY OF MARCH 2026**

**O.S. No. 62/2023**

**PLAINTIFFS**

1) Renukamma,  
W/o Late P. Thilukappa,  
Aged 56 years.

2) K. Soubhagya,  
D/o Late P. Thilukappa,  
Aged 34 years.

Both are Agriculturists,  
R/o Door No. 1132/1,  
3<sup>rd</sup> Ward, Near Police Quarters,  
Kottur town and Taluk,  
Ballari District.

**(By Sri. B. Nagaraja, Advocate)**

V/S

**DEFENDANTS**

1) Maridevamma @ Maridevakka,

D/o late Moogabasappa,  
Aged 55 years, Household,  
R/o B.R. Ambedkar Nagara,  
Kottur Town and Taluk,  
Ballari District.

2) The Manager of B.D.C.C. Bank Ltd.,  
Kottur Branch,  
Kottur Taluk and Town,  
Ballari District.

**(By Sri. K.M.J, Advocate)**

Date of Institution of suit	19.04.2023						
Nature of the suit	Declaration and entitle to receive the amount.						
Date of commencement of recording evidence	10.08.2023						
Date of closure of recording evidence	07.03.2026						
Date of pronouncing judgment	11.03.2026						
Duration	<table border="1"> <thead> <tr> <th><u>Years</u></th> <th><u>Months</u></th> <th><u>Days</u></th> </tr> </thead> <tbody> <tr> <td>02</td> <td>10</td> <td>22</td> </tr> </tbody> </table>	<u>Years</u>	<u>Months</u>	<u>Days</u>	02	10	22
<u>Years</u>	<u>Months</u>	<u>Days</u>					
02	10	22					

**JUDGMENT**

Plaintiffs have filed this suit for the relief of declaration, declaring that plaintiff No.1 is the legally wedded wife and plaintiff NO.2 is the daughter of plaintiff No.1 and deceased P. Thilukappa and they are Class-I heirs of deceased who died on 07.03.2019 entitling them to receive the amount deposited and invested by deceased P. Thilukappa S/o Ningappa, under VCC Bond bearing No. 25986 for Rs.9,00,000/- from defendant No.2 and directing the second defendant Bank to pay the deposited amount with interest from 17.09.2018 to them deposited by Thilukappa.

2. Plaintiff averments in brief is that, plaintiff NO.1 is the legally wedded wife of deceased P. Thilukappa S/o Late Ningappa who died on 07.03.2019 and the plaintiff No.2 is the daughter born to them. Both have jointly filed the suit for claiming the deposited amount of Rs.9,00,000/- on 17.09.2018 in the name of deceased P. Thilukappa by purchasing Vijayanagara Cash Certificate Bond bearing No. 25986 during his lifetime. Plaintiffs No.1 and 2 are the Class-I heirs to the deceased P. Thilukappa and they have got absolute right, title and interest over the assets left by

the deceased who is none other than the husband and father of plaintiffs No.1 and 2 respectively. The deceased P. Thilukappa was working as APMC Yard at Kottur as Hamali till his death to eke out his livelihood and he also opened an S.B. Account in the name of second defendant Bank at Kottur on 29.07.2016 as per Account No. SBFARNE-20005127000395, I.D. No. 0001025755 and obtained necessary pass book from the said Bank. In the said S.B. Account it is mentioned as Nominee Renukamma i.e., plaintiff No.1 herein. But in the Vijayanagar Cash Certificate Bond bearing No. 25986 for a sum of Rs.9,00,000/- stands in the name of deceased P. Thilukappa and in the nominee it is mentioned the name of the first defendant Maridevamma @ Maridevakka by the second defendant Bank. Such entry has been made by the then Manager of Second defendant Bank in collusion with first defendant who is stranger to the plaintiff as well as deceased P. Thilukappa with malafide intention to grab the such a huge amount together with accrued interest. The said Maridevamma i.e., defendant No.1 herein is belongs to the scheduled caste, Adikarnataka Community. The entry made in the deposited certificate is illegal and not maintainable under law. Mere entry in the deposited certificate/Bond as nominee will not get or

established any right of the third party over the deposited amount when the plaintiff No.1 and 2 re still alive as Class-I heirs to the deceased P. Thilukappa. The nomination made is only with an intention to cheat and deprive the rights of the plaintiff No.1 and 2. The plaintiffs No.1 and 2 are being the Class-I legal heirs have got every right to claim the said amount. Now, the defendant No.1 is trying to withdraw the amount deposited by the deceased P. Thilukappa illegally to get wrongful gain and to cause wrongful loss to the plaintiffs. Under the circumstances the plaintiffs No.1 and 2 are the Class-I heirs of deceased P. Thilukappa and they have got absolute right over the deposited amount to claim and receive the same as per law. In this regard, the plaintiffs No.1 and 2 visited the Bank to pay the said deposited amount with accrued interest thereon but the second defendant has refused to pay the said amount with interest and in turn the second defendant Bank directed the plaintiffs to approach the Court and to obtain necessary succession certificate to pay the said amount. Hence, this suit.

3. Defendant has filed written statement denying the plaint averments and further contending that plaintiffs have

filed the suit seeking declaration that plaintiff No.1 is the legally wedded wife of P. Thilukappa and plaintiff No.2 is the daughter of plaintiff No.1 and deceased P. Thilukappa and they are the class-I heirs of deceased and claimed a direction to the defendant NO.2 to pay Rs.9,00,000/- deposited by the deceased P. Thilukappa through VCC Bond without producing the original Bond, marriage certificate of plaintiff No.1 with the deceased P. Thilukappa and birth certificate of plaintiff No.2 or any other relevant documents to show that they are the Class-I heirs of deceased P. Thilukappa. Moreover if they are the Class-I legal heirs of deceased P. Thilukappa, why the plaintiffs not having the custody or possession of the original Bond. Without producing original VCC Bond, the plaintiffs are not entitled to claim that they are the Class-I legal heirs of deceased P. Thilukappa and not entitle to receive the VCC Bond amount with interest. Even the deceased P. Thilukappa has not made the plaintiffs No.1 and 2 as nominee in the VCC Bond. It is further submitted that defendant No.1 is the wife of P. Thilukappa and they were lived together till the death of P. Thilukappa, hence with love and affection on the defendant, the deceased P. Thilukappa has mentioned the name of defendant No.1 in the Bond.

Hence, she is entitle to receive the said amount with accrued interest from the defendant. No.2. It is further contended that as per the instructions given by deceased P. Thilukappa who is the depositor had right to enter the name of defendant No.1 as nominee according to the instructions given by the depositor. Hence, plaintiffs are no way concerned to receive the said amount from the second defendant Bank. The plaintiffs have suppressed the real facts before the Court and thereby they are trying to cheat the defendant No.1 as well as the Court. The plaintiffs have filed P & SC bearing No. 2/2019 on the file of this Court and the said case was posted for final arguments of petitioners side. At that point of time, the plaintiffs have withdrawn the case with a liberty to file suit and this very fact is suppressed by the plaintiffs before the Court and they have stated in the 11<sup>th</sup> para of the plaint that the plaintiff No.1 and 2 have not filed any petition or probate in any other Court of law U/s 320 of Hindu Succession Act Act to claim the deposited amount in second defendant Bank. If really the plaintiffs are really entitle to withdraw the said mount deposited by P. Thilukappa why they have withdrawn the said P & SC Case at the final stage. It shows that with an intention to drag the matter till the death of defendant No.1

and thereby to make unlawful gain the plaintiffs cause unlawful loss to the defendant No.1. There is no cause of action to file the suit as against the defendant No.1 and the suit is barred by law of limitation. Hence the defendant No.1 prayed for the dismissal of the suit with costs.

4. Based on the pleadings, following issues were framed.

### **ISSUES**

- 1. Whether plaintiff No.1 proves that, she is the lawful wife of late P. Thilukappa and plaintiff No.2 is their daughter and they are the sole legal heirs of late P. Thilukappa?*
- 2. Whether plaintiffs prove that, defendant No.1 is stranger to their family?*
- 3. Whether defendant No.1 proves that she is the lawful wife of late P. Thilukappa?*
- 4. Whether the plaintiffs are entitle for the relief sought for?*
- 5. What Order or Decree?*

5. The plaintiffs in order to prove their case, got examined the plaintiff No.1 as P.W-1 and documents

produced by her are marked as Ex's.P-1 to P-14. On the other hand, the defendant No.1 herself is examined as DW-1 and the documents produced by her are marked as Ex.D-1 to 4.

6. Heard the learned counsel for the plaintiff. In spite of providing sufficient opportunity, defendant failed to address her arguments.

7. Under the circumstances, the issues framed for consideration are answered as under;

ISSUE No.1:- In the Affirmative

ISSUE No.2:- In the Affirmative.

ISSUE No.3:- In the Negative.

ISSUE No.4:- In the Affirmative.

ISSUE No.5:- As per the final order,  
for the following

### **REASONS**

8. **ISSUE No's. 1 to 3**:- These issues are interrelated and hence taken up for consideration at one stretch. It is the case of the plaintiffs that they have filed this suit for the

relief of declaration, declaring that plaintiff No.1 is the legally wedded wife and plaintiff No.2 is the daughter of plaintiff No.1 and deceased P. Thilukappa and they are Class-I heirs of deceased who died on 07.03.2019 entitling them to receive the amount deposited and invested by deceased P. Thilukappa S/o Ningappa, under VCC Bond bearing No. 25986 for Rs.9,00,000/- from defendant No.2 and directing the second defendant Bank to pay the deposited amount with interest from 17.09.2018 to them deposited by Thilukappa. The plaintiff No.1 in her evidence as P.W-1 has reiterated the plaint averments. She has produced the documents. Ex.P-1 is the S.B. Account Pass Book bearing Account No. SBFRAME 20005127000395 I.D No. 0001025755 which was opened by the deceased P. Tilukapa on 29.07.016, wherein the nominee is shown as Renukamma who is the plaintiff No.1 herein. Ex.P-2 and 3 are the Aadhaar Card and Voter I.D. Card of plaintiff No.1, wherein it is shown that she is the wife of P. Thilukappa. Ex.P-4 is the Ration Card of plaintiff No.1 wherein she shown her husband as deceased P. Thilukappa. Ex.P-5 is the LIC Bond bearing No. 665461963 standing in the name of P. Thilukappa, wherein the said Thilukappa shown the plaintiff No.1 as nominee as his wife. Ex.P-6 is the receipt

for the payment of LIC premium. Ex.P-7 is the death Extract of P. Thilukappa who died on 7.03.2019. Ex.P-8 to 11 are the Hindi Certificates, wherein the father name of plaintiff No.2 is shown as Thilukappa.P. Ex.P-12 and 13 is the Hall Tickets of plaintiff No.2. Ex.P-14 is the certified copy of the registered sale deed which shows that the P. Thilukappa S/o Ningappa had purchased the property from Poojara Karunakumar S/o Late Poojara Hanumanthappa for the valuable consideration amount of Rs.2,43,000/- on 01.06.2018.

9. PW-1 while cross-examined the counsel for the defendant, she deposed that her marriage with Thilukappa was performed about 43 years ago, she does not have any wedding cards. She also admitted that the plaintiff No.2 is her daughter born through Thilukappa. She also admitted that her husband had 3.00 acres of land under partition among his brothers. She admitted that her daughter completed M.A. B.Ed. Education. She denied that Thilukappa is not her husband and there is no relationship as husband and wife in between themselves. She admitted about filing of P & SC 2/2019 before this Court, but she has not mentioned the said fact in her plaint. She admits that in

the name of her husband's name amount was deposited as F.D., but she has not produced the same before the Court.

10. It is the case of the defendant No.1 that, the plaintiffs have filed the suit seeking declaration that plaintiff No.1 is the legally wedded wife of P. Thilukappa and plaintiff No.2 is the daughter of plaintiff No.1 and deceased P. Thilukappa and they are the class-I heirs of deceased and claimed a direction to the defendant NO.2 to pay Rs.9,00,000/- deposited by the deceased P. Thilukappa through VCC Bond without producing the original Bond, marriage certificate of plaintiff No.1 with the deceased P. Thilukappa and birth certificate of plaintiff No.2 or any other relevant documents to show that they are the Class-I heirs of deceased P. Thilukappa. Moreover if they are the Class-I legal heirs of deceased P. Thilukappa, why the plaintiffs not having the custody or possession of the original Bond. Without producing original VCC Bond, the plaintiffs are not entitled to claim that they are the Class-I legal heirs of deceased P. Thilukappa and not entitle to receive the VCC Bond amount with interest. Even the deceased P. Thilukappa has not made the plaintiffs No.1 and 2 as nominee in the VCC Bond. It is further submitted that

defendant No.1 is the wife of P. Thilukappa and they were lived together till the death of P. Thilukappa, hence with love and affection on the defendant, the deceased P. Thilukappa has mentioned the name of defendant No.1 in the Bond. Hence, she is entitle to receive the said amount with accrued interest from the defendant. No.2. It is further contended that as per the instructions given by deceased P. Thilukappa who is the depositor had right to enter the name of defendant No.1 as nominee according to the instructions given by the depositor. Hence, plaintiffs are no way concerned to receive the said amount from the second defendant Bank. The plaintiffs have suppressed the real facts before the Court and thereby they are trying to cheat the defendant No.1 as well as the Court. The plaintiffs have filed P & SC bearing No. 2/2019 on the file of this Court and the said case was posted for final arguments of petitioners side. At that point of time, the plaintiffs have withdrawn the case with a liberty to file suit and this very fact is suppressed by the plaintiffs before the Court and they have stated in the 11<sup>th</sup> para of the plaint that the plaintiff No.1 and 2 have not filed any petition or probate in any other Court of law U/s 320 of Hindu Succession Act Act to claim the deposited amount in second defendant Bank. If really

the plaintiffs are really entitle to withdraw the said mount deposited by P. Thilukappa why they have withdrawn the said P & SC Case at the final stage. IT shows that with an intention to drag the matter till the death of defendant No.1 and thereby to make unlawful gain the plaintiffs cause unlawful loss to the defendant No.1. There is no cause of action to file the suit as against the defendant No.1 and the suit is barred by law of limitation.

11. The defendant No.1 herself examined as DW-1 and she has reiterated the entire written statement averments. She has produced 4 documents. Ex.D-1 is the original Fixed Deposited Bond issued by the defendant No.2 Bank in the name of Thilukappa showing an amount of Rs.9,00,000/- has been deposited on 17.09. 2018 under Account No. 20005112025986 wherein the defendant No.1 Maridevakka.R. shown as nominee. Ex.P-2 is he Sensus made by Devadasi Mahileyara marusameekshe 2008. Ex.P>- 3 and 4 are the certified copy of order sheet in P & SC 1/2019 filed by the plaintiff against the defendant No.1, later on 27.03.2023 it was withdrawn with a liberty to the plaintiffs/petitioners to file suit on same cause of action

within 3 months from the date of dismissal order. Ex.P-4 is the certified copy of petition in P & S.C. No. 1/2019.

12. DW-1 in the cross examination by the learned counsel for the plaintiff admitted that Tilakappa is working as Coolie and she know him abut 18 years back. She admitted that the said Thilukappa was suffering with Cancer and admitted in Bapuji Hospital, Davanagere and Yennipoya Kerala, and also Bangalore Hospitals and the Hospital expenses were borne out by their family members. DW-1 admitted that the said Thilukappa died in Chitradurga Hospital, but she does not know where the funeral ceremonies were conducted. She also admitted that she does not know since how many years the said Thilukappa suffered from cancer. She further admitted that the plaintiff opened S.B. Account in B.D.C.C. Bank Kottur under a CIF Number and Thilukappa also opened F.D. Account on the same C.I.F. Number. She admitted that Thilukappa had not issued F.D Bond to herself and taking undue advantage of the ill-health of Thilukappa she obtained the same. She further admitted that she does not know the residential house door number of Thilukappa.

13. On perusal of the evidence of oral and documentary evidence of both the sides, the plaintiffs taken contention that the plaintiff No.1 is the wife of Thilukappa and the plaintiff No.2 is the daughter of said Thilukappa and plaintiff No.1, as such they are the Class-I heirs of Thilukappa and they are entitle for the Fixed Deposited amount deposited by Thilukappa. But the defendant No.1 taken contention that the plaintiff No.1 is not the legally wedded wife of Thilukappa and plaintiff No.2 is not the daughter of Thilukappa and plaintiff No.1. In this regard the plaintiffs have adduced oral and documentary evidence before the Court. On perusal of the Ex.P-1 to 5 which are clearly shows that the plaintiff No.1 is the wife of Thilukappa. PW-1 further deposed before the Court that since 43 years herself and Thilukappa lived as husband and wife. The ration card, Adhaar Card and Election I.D. Card which are clearly shows that the plaintiff No.1 and Thilukappa were resided in Door No. 1132, 3<sup>rd</sup> Ward, Megeri Street, Kottur Town, which are cavalry shows that the plaintiff No.1 and 2 and deceased Thilukappa were resided in a single roof as husband and wife as well as daughter respectively. While cross-examined the PW-1, there is nothing has been elicited in the mouth of PW-1 that she is

not a wife of deceased Thilukappa and plaintiff No.2 is not a daughter of said Thilukappa and plaintiff No.1. In this regard, while cross examined the DW-1 she herself clearly admits before the Court that **“ಸದರಿ ತಿಲುಕಪ್ಪ ಮತ್ತು ರೇಣಕಮ್ಮರವರಿಗೆ ಸೌಭಾಗ್ಯ ಎನ್ನುವ ಮಗಳು ಜನಿಸಿದ್ದಳು ಎಂದರೆ ಸರಿ”**. Further the defendant No.1 taken contention that as per Ex.D-2 the plaintiff No.1 had received the Devadasi Masasana from the Child and Welfare Department. But while cross examined the PW-1, she denied the same. On perusal of the Ex.D-2, it is the list of Sensus conducted by the identified list of Devadasi Women, wherein it shows that there are 3 names in the said List as “L. Renuka, B. Renukamma and Renukamma”. On careful perusal of the said document there is no residential door numbers and address of the said 3 persons. Hence, it cannot be ascertained among the three persons who is the plaintiff No.1 of the instant suit. Hence, as per the say of the defendant No.1 it cannot be considered that the plaintiff No.1 is the Devadasi and which Renukamma is the plaintiff No.1. But as per Ex.P-4 the Ration card of the deceased Thilukappa and plaintiff No.1, wherein it clearly shows that they are the husband and wife. The defendant No.1 clearly admits that she is the Devadasi. The defendant No.1 further

taken contention that the deceased Thilukappa was the husband of defendant No.1, because of love and affection towards her, the said Thilukappa had deposited a sum of Rs.9,00,000/- as F.D in his name and shown herself as nominee. Hence, she is the legally wedded wife of deceased Thilukappa. But while cross examined the Dw-1 she clearly admits that **“ತಿಲುಕಪ್ಪನ ಮನೆಯ ಡೋರ್ ನಂಬರ್ ನನಗೆ ಗೊತ್ತಿಲ್ಲ. ತಿಲುಕಪ್ಪನ ಮನೆ ಎಲ್ಲಿದೆ ಎಂದು ನನಗೆ ಗೊತ್ತಿಲ್ಲ”** and further admits that **“ನಾನು ತಿಲುಕಪ್ಪನ ಜೊತೆ ಸಂಸಾರ ಮಾಡಿದ್ದೇನೆ ಎಂಬುದಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ ದಾಖಲೆ ಇದೆಯಾ ಎಂದರೆ ದಾಖಲೆಗಳು ಇವೆ, ಅವುಗಳನ್ನು ನ್ಯಾಯಾಲಯಕ್ಕೆ ಸಲ್ಲಿಸಿರುವುದಿಲ್ಲ, ಸದರಿ ತಿಲುಕಪ್ಪ ಕ್ಯಾನ್ಸರ್ ಕಾಯಿಲೆಯಿಂದ ಬಳಲುತ್ತಿದ್ದ ಎಂದರೆ ಸರಿ. ತದ ನಂತರ ಆತ ಸದರಿ ಕಾಯಿಲೆಯಿಂದ ಮೃತಪಟ್ಟಿರುತ್ತಾನೆ ಎಂದರೆ ಸರಿ. ಆತನ ಆಸ್ಪತ್ರೆಯ ಖರ್ಚು-ವೆಚ್ಚಗಳನ್ನು ಆತನ ಕುಟುಂಬದವರು ಭರಿಸಿದ್ದಾರೆ ಎಂದರೆ ಸರಿ. ಆತನ ಶವಸಂಸ್ಕಾರವನ್ನು ಎಲ್ಲಿ ಮತ್ತು ಯಾರು ಮಾಡಿದ್ದಾರೆ ಎಂಬುದು ನನಗೆ ಗೊತ್ತಿಲ್ಲ”**. Hence, as per admissions given by the DW-1, it clearly shows that, at never point of time, the defendant No.1 lived with deceased Thilukappa as wife. Hence, it clearly shows that the defendant No.1 is not a wife of deceased Thilukappa. On perusal of Ex.P-1 to 5 and Ex.P-14 which are clearly shows that the plaintiff No.1 and deceased Thilukappa living together as wife and husband in a single roof for a longtime.

14. The plaintiffs to prove regarding that plaintiff No.2 is the daughter of deceased Thilukappa and plaintiff No.1, the plaintiff has produced the death certificate of deceased Thilukappa, which is marked as Ex.P-7. It shows that the said P. Thilukappa died on 17.03.2019. Ex.P-6 and 8 to 13 are the LIC premium receipt and Marks Cards of the plaintiff No.2 which are clearly shows that the plaintiff No.2 is the daughter of Thilukappa. In this regard, while cross examined the DW-1 she clearly admits before the Court **“ಸದರಿ ತಿಲುಕಪ್ಪ ಮತ್ತು ರೇಣಕಮ್ಮರವರಿಗೆ ಸೌಭಾಗ್ಯ ಎನ್ನುವ ಮಗಳು ಜನಿಸಿದ್ದಳು ಎಂದರೆ ಸರಿ”**. The said admission clearly shows that the plaintiff No.2 is the daughter of deceased Thilukappa and plaintiff No.1. Hence, the plaintiffs successfully proved that the plaintiff No.1 is the wife of deceased Thilukappa and plaintiff No.2 is the daughter of Thilukappa. Hence, as per Sec. 8 of Hind Succession Act, the plaintiffs No.1 and 2 are the Class-I heirs of deceased Thilukappa. The defendant No.1 failed to prove that she is the wife of deceased P. Thilukappa. Hence, the defendant No.1 is not a family member of the plaintiffs and Thilukappa. Hence, the plaintiffs as a Class-I heirs of deceased Thilukappa, they are entitle to receive the Fixed Deposit amount which was

deposited at B.D.C.C. Bank under VCC-scheme. Furthermore the plaintiffs have proved that the defendant No.1 is a stranger to the family of the plaintiff as she had kept the Fixed Deposited Receipt with her only by taking advantage her name was mentioned as nominee. Accordingly, issue No.1 and 2 are answered in the Affirmative and issue No.3 in the Negative.

15. **ISSUE No.4:-** As discussed above, that the plaintiffs No.1 and 2 have successfully proved that the plaintiff No.1 is the wife of deceased Thilukappa and plaintiff No.2 is the daughter of Thilukappa, hence after demise of said Thilukappa, they are the Class-I legal heirs of deceased P. Thilukappa. Further, the defendant No.1 failed to prove that she is the wife of deceased Thilukappa. Even though she is a nominee of the deceased Thilukappa for the Ex.D-1, the nominee of the deceased is only representative of the estate of the deceased. The nominee has no rights, interest of the deceased estate. The only Class-I legal heirs of entitle for the estate of the deceased. Hence, the defendant No.1 is only a nominee of the deceased for the F.D. amount of Rs.9,00,000/- with accrued interest which was deposited in B.D.C.C. Bank in the name of deceased P. Thilukappa.

Hence, the defendant No.1 failed to prove that she is a legally wedded wife of deceased P. Thilukappa and she is not a Class-I heirs of deceased P. Thilukappa. Hence, she is not entitle the F.D. amount and interest which was deposited in the name of P. Thilukappa as per Ex.D-1. The plaintiffs being the L.R's of seceded Thilukappa they are entitle to receive the F.D. amount as per Ex.P-5, 6 as well as Ex.D-1 F.D. amount with accrued interest. Accordingly, issue No.4 is answered in the Affirmative.

16. **ISSUE No. 5:-** In view of answering the issue No's 1 to 4 as above, suit is to be decreed as prayed for by the plaintiffs and hence I proceed to pass the following;

**ORDER**

Suit is hereby decreed with costs.

It is declared that the plaintiff No.1 is the legally wedded wife and plaintiff No.2 is the daughter of plaintiff No.1 and deceased P. Thilukappa and they be declared as Class-I legal heirs of deceased P. Thilukappa S/o Late Ningappa.

The defendant No.2 is hereby directed to release the VCC Bond Ex.D-1 maturity amount in favour of plaintiffs No.1 and 2.

The defendant No.1 is hereby directed to handover the F.D. bond to the plaintiffs immediately.

Draw decree accordingly.

(Dictated to the Stenographer, computerized by him on computer, corrected by me and pronounced in the open Court on this 11<sup>th</sup> day of March, 2026)

**(YOGESHA. J)**  
**Senior Civil Judge & JMFC.,**  
**Kudligi**

**ANNEXURE**

**LIST OF WITNESSES EXAMINED FOR PLAINTIFF**

P.W-1 : Renukamma

**LIST OF DOCUMENTS MARKED FOR PLAINTIFF**

Ex.P-1	:	BDCC Bank Pass Book
Ex.P-2	:	Aadhaar Card
Ex.P-3	:	Voter I.D.Card
Ex.P-4	:	BPL Card
Ex.P-5	:	LIC Bond
Ex.P-6	:	LIC Receipt
Ex.P-7	:	Death Certificate
Ex.P-8 to 11	:	Four Marks Cards
Ex.P-12 & 13	:	Admit Cards
Ex.P-14	:	C.C. of sale deed dt: 01.06.2018.

**LIST OF WITNESSES EXAMINED FOR DEFENDANTS**

D.W-1	:	Maridevamma.
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**LIST OF DOCUMENTS MARKED FOR DEFENDANTS**

Ex.D-1	:	VCC Bond
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- Ex.D-2 : Women and Child  
Development Department  
Devadasi Sensus List
- Ex.D-3 : C.C. of Order sheet
- Ex.D-4 : C.C. of Petition

**(YOGESHA. J)**  
**Senior Civil Judge & JMFC.,**  
**Kudligi**

(Order pronounced in the open Court)  
(Vide separate Judgment)

**ORDER**

Suit is hereby decreed with costs.

It is declared that the plaintiff No.1 is the legally wedded wife and plaintiff No.2 is the daughter of plaintiff No.1 and deceased P. Thilukappa and they be declared as Class-I legal heirs of deceased P. Thilukappa S/o Late Ningappa.

The defendant No.2 is hereby directed to release the VCC Bond Ex.D-1 maturity amount in favour of plaintiffs No.1 and 2.

The defendant No.1 is hereby directed to handover the F.D. bond to the plaintiffs immediately.

Draw decree accordingly.

**(YOGESHA. J)**  
**Senior Civil Judge & JMFC.,**  
**Kudligi**