

**IN THE COURT OF THE CIVIL JUDGE AND J.M.F.C.,
AT HARAPANAHALLI.**

**Present : Smt. Shobha.B.G. M.A. LL.B.,
Civil Judge and J.M.F.C., at Harapanahalli.**

O.S.No.64/2011

Plaintiffs :

- 1)** Kumbara Prabhappa
S/o Late. Halappa,
Aged about 40 years,
Occ:Agriculturist,
R/at. Shingrihalli Village,
Harapanahalli Taluk,
- 2)** Kumbara Kamalamma
D/o Late. Halappa,
Since dead by Lrs.
- 2(a)** Ujjinappa
S/o Mallappa,
Aged about 55 years,
- 2(b)** Basamma
D/o Ujjinappa,
Aged about 25 years,
- 2(c)** Siddesha
S/o Ujjinappa
Aged about 23 years,
- 2(d)** Gurubasavaraja
S/o Ujjinappa,
Aged about 21 years,
- 2(e)** Mallikarjunappa
S/o Ujjinappa,
Aged about 19 years,

All are Agriculturists,
A/at. Malavi Village,
Hagaribommnahalli Taluk,
Ballari District.

- 3) Kumabara Annapurna
D/o Late. Halappa,
Aged about 38 years,
Occ: Agriculturist,
R/at. Jaibhimanagara,
Harihara,
- 4) Kumbara Nagappa
S/o Late. Halappa,
Aged about 48 years, ,
Occ: Agriculturist,
R/at. Shingrihalli village,
Harapanahalli Taluk,
- 5) Kumbara Rajappa
S/o Kuruvatyappa,
Aged about 50 years,
Occ: Stamp vendor,
R/at. Jaibhimanagara,
Harihara.

V/s

Defendants

- 1) Kumbara Gangamma
W/o Late. Halappa,
Aged about 68 years,
- 2) Kumbara Renukamma (Savitramma)
D/o Late. Halappa,
Aged about 32 years,

Both are R/at. 1st main,
4th Cross, Jaibhimanagar,
Harihara.
- 3) Kumbara Siddalingamma
W/o Late. Revanasiddappa,
Aged about 50 years,
- 4) Kumbar Jagadesh
S/o Late. Revanasiddappa,
Aged about 35 years,

- 5) Kumbara Karisiddappa
S/o Late. Revanasiddappa,
Aged about 32 years,
- 6) Kumbara Yasodamma
D/o Late. Revanasiddappa,
W/o Suresh,
Aged about 25 years,
- 7) Kumbara Geetha
D/o Late. Revanasiddappa,
W/o Siddalingappa,
Aged about 22 years,
- 8) Chowtigi Gurupadappa
S/o Adivabasappa,
Aged about 55 years,

Defendant Nos. 3 to 8 are
Agriculturists,
A/at. Shingrihalli Village,
Harapanahalli Taluk,

~:: C L A I M ::~

The plaint U/o 7 Rule 1 and 2 of C.P.C filed by the plaintiffs against the defendants praying to pass a decree in favour of the plaintiffs against the defendants as follows: -

1. Declaring that each plaintiffs are entitle 1/5th shar in plaint schedule properties and,
2. To allot each separate 1/5th share by meets bounds and,
3. To delivery the possession of their respective 1/5th share separately to each plaintiffs and,
4. To cancel the Registered sale deed dated: 17-01-2011 and its Mutation No. 155/2010-2011.

5. To award the costs of the suit,
6. To grant such other relief this plaintiffs found entitled under the existing circumstance.

The suit is coming on this, the 18th December, 2019 for final disposal before **Smt. Shobha. B.G.**, M.A. LLB, Civil Judge & JMFC, at Harapanahalli, in the presence of Sri. Jagadeesh Gouda, Advocate for the plaintiffs and Sri. B. Krishnamurthy, Advocate for the defendant No. 1 and 2 and Sri. S.G. Thippeswamy, Advocate for the defendant No. 8 and defendant No. 3 to 5 and 7 are placed exparte and defendant No. 6 is absent.

By Judgment, it is ordered that,

The suit of the plaintiffs is hereby partly decreed with respect to the relief of cancellation of registered sale deed dated 17-01-2011.

Further, it is ordered that, the plaintiffs is hereby dismissed regarding relief of partition and separate possession with respect to the suit schedule properties.

Further, it is ordered that, the defendant No. 1 is directed to execute cancellation of registered sale deed dated 17-01-2011.

Given under my hand and the seal of the court this, the 18th day of December, 2019.

Decree drafted on : 19-12-2019.

Decree signed on : 21-12-2019.

Sd/-
**Civil Judge & JMFC.,
Harapanahalli.**

: MEMORANDUM OF COSTS :

		Plaintiffs	Defendants
1.	Court fee for Plaint.	5,400-00	—
2.	Court Fee for P.F.	50-00	-
3.	Court Fee for I.A.		-
4.	Court fee for power	-	-
5.	Advocate's Fee.	(F.C not filed)	(F.C not filed)
	Total	5,450-00	-

~:: SCHEDULE ::~

The landed properties are situated at Teligi Village, within the Registration District of Davanageri and Sub-Registration District of Harapanahalli with following particulars:-

1) Sy.No.80B Measuring 1-05 acres, Tarm Rs. 2-93 valuation is of Rs. 50,000/- Bounded by:-

East - Land of Totappa,
 West - Land of Kumbara Rudravva
 North - Land of Krishnamma W/o Late. Ragimasalawadada Revanna,
 South - Land of Umapathi.

2. Sy.No. 84/B2 Measuring 1-87 acres, Tarm Rs. 0-85 pisa, Valuation is of Rs. 68,000/-.

East - Road,
 West - Land of K. Gonebasappa,
 North - Land of Chowtigi Gurupadappa,
 South - Land of B. Omana.

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3. House property having a Door towards North situated at 1st ward Shingrihalli bearing Door No. 197 measuring East to West 17 feet and North to South 44 feet having black tiles bounded by:-

East - House of Eramma,
West - Belur Maheshappa,
North - Rasta,
South - Open space of Kumbara Revanna and Siddappa.
Valuation is of Rs. 1,00,000/-.

**Sd/-
Civil Judge & JMFC.,
Harapanahalli.**