

ORDERS ON PRELIMINARY ISSUE

1. Plaintiffs have filed the present suit as against the defendants for the relief of declaration of their title over the suit properties, for perpetual injunction, for rectification of ROR and for an alternative relief of recovery of possession.

2. The defendants have filed their written statement wherein the defendants have taken up the specific defense that this court lacks pecuniary jurisdiction to try the above suit. Upon perusal of the pleadings and rival contentions, this court has framed the Addl Issue No.1 to prove as to whether this court has a pecuniary jurisdiction to try the above suit. The Addl Issue No.1 was treated as a preliminary issue and accordingly the same was taken up for hearing before proceeding for trial.

3. Heard both the sides. The Addl Issue No.1 reads as follows:

Whether this court has pecuniary jurisdiction to try this suit?

4. After framing of issues, when the stage was posted for hearing on Addl Issue No.1, learned counsel for the plaintiffs have submitted the certified copy of the valuation slip issued by the Sub-Registrar, Yadgiri pertaining to the year 2017-2018. Learned counsel for the defendants has vehemently argued that as on the date of filing of this suit, the value of the suit properties was beyond the pecuniary jurisdiction of this court. The value of the suit properties exceeds the pecuniary jurisdiction of this court.

Refuting the said line of argument canvassed by the counsel for defendants, the learned counsel appearing for the plaintiffs has submitted that this court has pecuniary jurisdiction to try the above suit.

5. Heard both the side. Perused the records. This suit is of the year 2017. Perused the valuation slip for the year 2017-18. As per the government valuation, as on the date of filing of the above suit the value of the suit properties was as follows:

Sy. No.	Total extent	Value of the properties per acre	Total value
62/1-Aa	3 acres 24 guntas	Rs.76,000/-	2,73,000/-
65/4/A	23 guntas	Rs.76,000/-	43,700/-
Total =			Rs.3,17,300/-

6. Therefore, as per the government valuation, as on the date of filing of the above suit the total value of the suit property was Rs.3,17,300/-[Rupees Three laks Seventeen Thousand Three Hundred Only]. Whereof it is clear like a cloudless sky that this court has pecuniary jurisdiction to try the above suit. Therefore, from the above it is clear that the value of the suit property will not exceed the pecuniary jurisdiction of this court. Accordingly, I conclude that this court has pecuniary jurisdiction to try the above suit. **Whereof, I answer Preliminary issue in the Affirmative.** Accordingly, I proceed to pass the following;

ORDER

The Addl Issue No.1 is answered in the Affirmative. This court has pecuniary jurisdiction to try the above suit.

For cross of Pw.1 by 05.01.2024.

**CIVIL JUDGE & JMFC,
YADGIR**