

# Kavitha S & Associates

Advocates & Legal Consultants



Date: 18.08.2021

To,

BY HAND

**M/s. Ruchira Developers**

56/2, Karumariyamman Temple Road,  
Whitefield,  
Bangalore – 560 066.

Dear Sir,

Sub: Title investigation report –

**“RUCHIRA PROJECTS”**

Property bearing Sy.No.188, measuring 02 Acres 03 Guntas, permitted for agricultural to non-agricultural residential purpose, vide order bearing No.B.Dis.(E)SR:11/2005-06 of the Special Deputy Commissioner, Bangalore, Situated at Kannamangala Village, Bidarahalli Hobli, Bangalore East Taluk.

With reference to the above, I am enclosing herewith the Title Investigation Report, in respect of the property in the name of S.Martin (**Land Owner**) for your kind perusal and consideration.

I have verified the Photocopies of documents as per the list in the hands of S.Martin (**Land Owner**) who is the Legal and absolute owner of the schedule property.

Assuring you of my services to the best of my professional ability and integrity.

With best regards,

Yours faithfully,

KAVITHA S  
Advocate

**KAVITHA. S.**  
ADVOCATE & LEGAL CONSULTANT  
BENGALURU

**SCHEDULE PROPERTY**

All that piece and parcel of converted land bearing **Sy.No.188, measuring 02 Acres 03 Guntas**, permitted for agricultural to non-agricultural residential purpose, vide order bearing No.B.Dis.(E) SR:11/2005-06 of the Special Deputy Commissioner, Bangalore, Situated at Kannamangala Village, Bidarahalli Hobli, Bangalore East Taluk, and bounded on the:-

East by : Property of Sri.Siddaramaiah,

West by : Property of Sri.Shettappa,

North by : Nannjundaiah's Property,

South by : Road.

**LIST OF DOCUMENTS:-**

Sl. No.	Date of the Document	Name of Document	Original/ Certified/ Photostat/
		<b>In respect of Sy.No.188, measuring 2 Acres 03 Guntas</b>	
1.		Tippani, Resurvey Tippani, Hissa Survey Tippani, and Akarabandh, Village Map, in respect of land bearing Sy. No.188 situated at Kannamangala Village, Bidarahalli Hobli, Bangalore East Taluk.	Photocopy
2.	17.11.1950	Sale Deed executed by Hudi Muniyappa, s/o. Venkatappa, in favour of Venkata Romaiah, S/o. Munivenkatappa, registered as document No. 2411/1950-51 of Book -1, Volume 719, at Pages 28 to 29, in the office of die Sub-Registrar, Hoskote.	Photocopy
3.	25.08.1952	Sale Deed executed by Venkata Ramaiah, in favour of Chikka Munishamappa, S/o Chikka Muniyappa, registered as document No. 1659/1952-53 Of Book - I, volume-757 in the office of the Sub-Registrar, Hoskote.	Photocopy
4.	20.06.1960	Sale Deed executed by Chikka Bayanna, in favour of Chikka Bayanna, S/o Muniyappa @ Katteppo, registered as document No. 1177/1960-61, of Book - 1, Volume 967, at-pages 237 to 239, in the office of the sub- registrar, Hoskote	Photocopy
5.	15.09.1966	Sale Deed executed by Chikka Bayanna, in favour of Chikka Bayanna, S/o Muniyappa @ Katteppo, registered as document No. 2693/1966-67 of Book - I, Volume 1161, at pages 231 to 233, in the office of the Sub-Registrar, Hoskote	Photocopy



6.	11.04.1974	Sale Deed executed by Chikka Bayanna, S/o. Muniyappa @ Katteppa, in favour of Chikka Bayanna, S/o Papanna, registered as document No. 138/1974-75 of Book - I, volume 1383, at pages 41 to 42, in the office of the sub-registrar, Hoskote	Photocopy
7.	12.10.1998	Sale Deed executed by Chikka Bayanna, in favour of Usha Rao, W/o Raghunath Rao, registered as document No. 8357/1988-89 of Book - I, volume 2951, at pages 93 to 95, office of the sub-registrar, Bangalore South Taluk	Photocopy
8.		Mutation Register Extract bearing M.R.No. 4/1988-89.	Photocopy
9.	27.05.1998	Order in Petition bearing No. LRF(83)300:95-96.	Photocopy
10.		Mutation Register Extract bearing M.R.No.33/97-98	Photocopy
11.	19.08.2004	Sale Deed executed by Usha Rao, in favour of K. Narasimhulu s/o. Late K. Chennaiah, registered as document No. KRI-1-14199-2004-05, stored in CD. No. KRID-69, in the office of the sub-registrar Krishnarajapura, Bangalore	Photocopy
12.		Mutation Register Extract bearing M.R. No. 26/2004-05.	Photocopy
13.	19.03.2006	Rectification Deed executed by Usha Rao, in favour of K. Narasimhulu, registered as document No.KRI-1-13134-2005-05, stored in CD. No. KRID-172, in the office of the sub-registrar, Krishnarajapura.	Photocopy
14.	02.06.2006	Sale Deed executed by K. Narasimhulu, in favour of S.M. Subba Reddy, S/o Nanjunda Reddy, registered as document No. KRI-1- 07350-2006-07, stored in CD.No. KRID220, in the office of the sub-registrar, Krishnarajapura	Photocopy
15.	05.12.2006	Sale Deed executed by S.N. Subba Reddy, in favour of S. Martin, s/o Sahthiagu, registered as document No. KRI-1-29259-2006-07, stored in CD. No.KRID-275, in the office of the Sub-Registrar, K.R.Puram, Bangalore	Photocopy
16.	18.12.2007	Sanctioned Building Plan bearing No. NM/A A3/P/84/2007-05, issued by Bangalore Development Authority.	Photocopy
17.	16.08.2007	Official Memorandum bearing No. ALW(E)(B) SR/11/2005-06.	Photocopy
18.	26.06.2018	Agreement to Sell executed by Sri.Myalarappa in favour of Sri.V.Srinivas, registered as document No.BNS-1-04517-2018-10, stored in CD.No.BNSD-656, in the office of the sub-registrar, Banaswadi, Shivajinagar, Bangalore	Photocopy
19.		RTC for the year 1969-69 to 1972-73, 1973-74 to 1978-79, 1979-80 to 1983-84, 1984-85 to 1986-89, 1989-90 to 1994-95, 2000-01 to 2001-02, 2001-02, 2002-03, 2003-04, 2004-05, 2005-06, 2006-07, 2007-	Photocopy



		08, 2008-09, 2009-10, 2010-11, 2011-12, 2012-13, 2013-14, 2014-15, 2015-16, 2018-19.	
		<b>Endorsements</b>	
20.	07.05.2004	Endorsement bearing No. L.R.RG.R: 45:2004-05, issued by the Special Tahsildar, Bangalore East Taluk, Krishnarajapura.	Photocopy
21.	28.06.2005	Endorsement bearing No. R;K-.C.AR:22:05-06, issued by the Tahsildar, Krishnarajapura.	Photocopy
22.	25.07.2006	Endorsement bearing No.R.K.C.R/-/2006- 07, issued by the Tahsildar, Bangalore East Taluk, Krishnarajapura.	Photocopy
23.	30.03.2019	Endorsement bearing No. R.K/C.R/5704/2018-19, issued by the Tahsildar, Bangalore East Taluk, K.R.Puram.	Photocopy
24.	30.03.2019	Endorsement bearing No.RK/CR/5706/2018-19, issued by the office of Tahsildar, Bangalore East Taluk, K.R.Puram	Photocopy
		<b>Order's</b>	
25.	24.11.1997	Order, Petition bearing No. LRF(83)293:95-96 passed by the Sub-divisional Officer	Photocopy
26.	18.08.2017	Order in Appeal bearing No. 196/2008 passed by the Karnataka Appellate Tribunal.	Photocopy
27.	15.12.2005	Order in Petition bearing No. KSC.ST.5:2005-06 passed by the Bangalore North Sub-divisional Officer.	Photocopy
28.	25.06.2012	Order in Petition bearing No.K.SC.ST.107/2010-11 Passed by the Assistant Commissioner.	Photocopy
29.	06.03.2018	Order in Appeal bearing No. SC.ST(A).65./2012-13, passed by the Deputy Commissioner.	Photocopy
30.	13.12.2018	Order in Writ Petition No. 12848/2018 (SC-ST) passed by the High Court of Karnataka.	Photocopy
31.	27.08.2020	Tax paid for the year 2020-2021, issued by Kannamangala Grama Panchayath, Bangalore, in the name of S. Martin.	Photocopy
32.		Encumbrance Certificates for the period from 01.04.1939 to 31.07.1986 01.05.1986 to 31.04.1989 01.06.1989 to 01.04.2004 01.04.2004 to 05.12.2017 01.04.2004 to 18.08.2021	Photocopy



**FLOW OF TITLE/TITLE TRACED:**

**IN RESPECT OF SY.NO.188, MEASURING 2 ACRES 03 GUNTAS:-**

On perusal of the documents it appears that the land bearing Sy.no.174, measuring 2 Acres 4 guntas, situated at Kannamangala Village, Bidarahalli Hobli, Hoskote Taluk, was granted to one Hudi Muniga under the Land Grant Rules vide order bearing D.D.47:34-35 dated 15.03.1935. Subsequently, the said land is re-surveyed and allotted new Sy.No.188.

Whereas the Hudi Muniyappa, S/o. Venkatappa, sold the land bearing Survey No. 188, measuring 2 Acres, situated at Kannamangala Village, Bidarahalli Hobli, Hoskote Taluk, in favour of Venkata Ramaiah, S/o. Munivenkatappa, vide Sale Deed dated 17.11.1950, registered as document No. 2411/1950-51 of Book-1, Volume-719, at Pages 28 to 29, in the office of the Sub- Registrar, Hoskote.

Subsequently, Venkata Ramaiah conveyed the land bearing Survey No. 188, measuring 2 Acres, situated at Kannamangala Village, Bidarahalli Hobli, Hoskote Taluk, in favour of Chikka Munishamappa, S/o Chikka Muniyappa, vide Sale Deed dated 25.08.1952, registered as document No. 1659/1952-53 Of Book - I, volume-757 in the office of the Sub-Registrar, Hoskote.

Thereafter, Chikka Munishamappa sold the land bearing Survey No. 188, measuring 2 Acres 03 Guntas, situated at Kannamangala Village, Bidarahalli Hobli, Hoskote Taluk, in favour of Chikka Bayanna, S/o Papanna, vide Sale Deed dated 20.06.1960, registered as document No. 1177/1960-61, of Book - 1, Volume 967, at-pages 237 to 239, in the office of the sub-registrar, Hoskote.

Subsequently, Chikka Bayanna conveyed an extent of 2 Acres 03 Guntas in land bearing Survey No. 188, situated at Kannamangala Village, Bidarahalli Hobli, Hoskote Taluk in favour of Chikka Bayanna, S/o Muniyappa @ Katteppa, vide Sale Deed dated 15.09.1966, registered as document No. 2693/1966-67 of Book - I, Volume 1161, at pages 231 to 233, in the office of the Sub-Registrar, Hoskote.

Thereafter, Chikka Bayanna, S/o. Muniyappa @ Katteppa, has re-conveyed the Subject Properly in favour of Chikka Bayanna, s/o Papanna, vide Sale Deed dated 11.04.1974, registered as document No. 138/1974-75 of Book - I, volume 1383, at pages 41 to 42, in the office of the sub-registrar, Hoskote.

Chikka Bayanna conveyed the Subject Property in favour of Usha Rao, w/o Raghunath Rao, vide Sale Deed dated 12.10.1998, registered as document No. 8357/1988-89 of Book - I, volume 2951, at pages 93 to 95, office of the sub-registrar, Bangalore South Taluk. The Mutation Register Extract bearing M.R. No. 4/1988-39 reflects the said sale.

On perusal of the documents it is observed that proceedings under Section 83 of Karnataka Land Reforms Act, 1961, for violation of Sections 79 (A), 79 (B) & 80, was initiated which came to be numbered as Petition bearing No. LRF(S3)300:95-96 against Usha Rao in respect



of the Subject Property. The Sub- divisional Officer, Bangalore North Taluk, vide Order dated 27.05.1998, dismissed the said petition.

The Mutation Register Extract bearing M.R. No. 33/97-98 reflects the Order dated 27.05.1998 in case bearing No. LRF (83)300/95-96, stating that the purchase of Subject property by Usha Rao, w/o Raghunath Rao, is not in violation of Sections 79 (A), 79 (B) & 80 of the Karnataka Land Reforms Act, 1961.

Subsequently, Usha Rao conveyed the Subject Property in favour of K. Narasimhulu s/o. Late K. Chennaiah, vide Sale Deed dated 19.08.2004, registered as document No. KRI-1-14199-2004-05, stored in CD. No. KRID-69, in the office of the sub-registrar Krishnarajapura, Bangalore. The Mutation Register Extract bearing M.R. No. 26/2004-05 reflects the said sale.

It is observed that certain typographical errors in respect of the names of the earlier owners of the Subject Property had crept-in within the above said Sale Deed dated 19.08.2004 and to rectify the said errors Usha Rao executed a Rectification Deed dated 19.03.2006, registered as document No. KRI-1-13134-2005-05, stored in CD. No. KRID-172, in the office of the sub-registrar, Krishnarajapura, in favour of K. Narasimhulu.

In the meantime, K. Narasimhulu sought for conversion of Subject Property from agricultural to residential use and subsequent to the payment of conversion fine on 07.12.2005, the Special Deputy Commissioner vide Official Memorandum dated 16.08.2007, bearing No. ALW(E) (B) SR/11/2005-06, has accorded the same.

Thereafter, K. Narasimhulu conveyed the Subject Property in favour of S.M. Subba Reddy, s/o Nanjunda Reddy, Vide Sale- Deed dated 02.06.2006, registered as document No. KRI-1-07350-2006-07, stored in CD.No.KRID220, in the office of the sub-registrar, Krishnarajapura.

Subsequently, S.N. Subba Reddy conveyed the Subject Property in favour of Sri.S. Martin, S/o. Santhiagu, rep. by his GPA Holder Sri.Vedamuthu, vide Sale Deed registered on 05.12.2006, as document No. KRI-1-29259-2006-07, stored in CD.No.KRID-275, in the office of the Sub-Registrar, K.R.Puram, Bangalore.

The Bangalore Development Authority has approved the building plan bearing No. NM/A A3/P/84/2007-05, dated comprising of Basement + Ground Floor + 3 Upper (floors, totally measuring 8,400.27 .sq. mtrs., consisting of 40 residential units, to be constructed-on the Subject Property.

On the basis of the Order, dated 06.03.2018, passed by the Deputy Commissioner in Appeal bearing No. SC.ST(A).65/2012-13, Muniyappa, s/o Late Muniyappa executed an Agreement to Sell dated 26.06.2018, registered as document No.BNS-1-04517-2018-10, stored in CD.No.BNSD-656, in the office of the sub-registrar, Banaswadi, Shivajinagar, Bangalore.



However the said Agreement for sale is not valid in law in view of the Order dated 13.12.2018 passed by the High Court of Karnataka in Writ Petition No.12848/2018 (SC-ST).

The Hissa Tippani, Karnataka Settlement Akarbandh & Village map of Kannamangala Village discloses that the extent, location, shape & size of the Sy.No.188 totally measuring 2 Acres 03 Guntas.

**RTC's:-**

Sl.No.	Survey No.	Period	Extent	Owners
1.	188	1968-69 to 1972-73	2 Acres 03 Guntas	Hoodi Muniyappa Chikka Bayanna
2.	188	1973-74 to 1978-79	2 Acres 03 Guntas	Chikka Bayanna
3.	188	1979-80 to 1983-84	2 Acres 03 Guntas	Hoodi Muniyappa Chikka Bayanna
4.	188	1989-90 to 1997-98	2 Acres 03 Guntas	Usha Rao
5.	188	2000-01 to 2003-04	2 Acres 03 Guntas	Usha Rao
6.	188	2004-05 to 2005-06	2 Acres 03 Guntas	K.Narasimhulu
7.	188	2006-07 to 2011-12	2 Acres 03 Guntas	Government
8.	188	2012-13 to 2016-17	2 Acres 03 Guntas	Mylarappa S/o. Late Muniyappa
9.	188	2018- to 2019	2 Acres 03 Guntas	K.Narasimhulu

RTC's for the period 1984-85 to 1988-89, 1999 to 2000, 2017 to 2018 have not been furnished

**Endorsements:-**

Endorsement bearing No. L.R.RG.R: 45:2004-05, dated 07.05.2004, issued by the Special Tahsildar, Bangalore East Taluk, Krishnarajapura, reflects that no applications have been filed under Section 48(A) Form 7 under Karnataka-Rand Reforms Act, 1961, in respect of the Subject Property.

Endorsement bearing No. R;K-C.AR:22:05-06, dated 28.06.2005, issued by the Tahsildar, Krishnarajapura, reflects that the Saguvali Chit for the period 1927 to 1961-6:2 Is not available with respect to Subject Property.



The Endorsement dated 25.07.2006, bearing No.R.K.C.R/-/2006- 07, issued by the Tahsildar, Bangalore East Taluk, Krishnarajapura, states, that since Land- Revenue Act1964, has come into effect, it is not possible to issue I.L. & R.R. in respect of the Subject Property.

The Endorsement dated 30.03.2019, bearing No. R.K/C.R/5704/2018-19, issued by the Tahsildar, Bangalore East Taluk,K.R.Puram, reflects that the IL is not available in respect of the Subject Property is not available as the same is mutilated.

We have been furnished with an Endorsement dated 30.03.2019, bearing No.RK/CR/5706/2018-19, issued by the office of Tahsildar, Bangalore East Taluk, K.R.Puram, Stating the non-availability of RTC's for the period 1995 to 2000, as the same have been mutilated.

The documents furnished do not disclose any present notification/s for acquisition of Subject Property.

**Litigation:**

Proceedings under Section 83 of Karnataka Land Reforms Act, 1961, for violation of Sections 79 (A), 79 (B) & 80 was initiated by the Government with respect to Subject Property and other land parcels situated at Kannamangala Village, Bidarahalli Hobli, in Petition bearing No. LRF(83)293:95-96, against Athma Singh, in the Court of Sub-divisional Officer, Bangalore North Sub-division. The Sub-divisional Officer vide Order, doted 24.11.1997, noted violation-of Sections. 79 (A), 79 (B) &80 of Karnataka Land Reforms Act, 1961, and vested the Subject Property, along with other land parcels, with the Government free from all encumbrances.

Subsequently, the said Order dated 24.11.1997 was challenged in the Karnataka Appellate Tribunal vide an Appeal bearing No. 196/2008, wherein the Tribunal in its Order dated 18.08.2017 has set aside the order passed by the Sub-divisional Officer, Bangalore North Sub-division.

Proceedings under Section 83 of Karnataka Land Reforms Act, 1961, for violation of Sections 79(A), 79(B) & 80, was initiated in the Court of Sub- divisional Officer, Bangalore North Taluk, which came to be numbered as Petition bearing No. LRF(83)300:95-96, against Athma Singh, in the Court of Sub-divisional officer, Bangalore North Sub-division. The Sub-divisional officer vide Order dated 27.05.1998, dismissed the said proceedings. The Mutation Register Extract bearing M.R.No.33/97-98 reflects the said Order dated 27.05.1998.

Mylarappa, s/o. Late Muniyappa, initiated proceedings against Narasimhulu, in the Court of Bangalore North Sub-divisional Officer which came to be numbered as Petition bearing No. KSC.ST.5:2005-06, seeking restoration of the Subject Properly in his favour as the same was conveyed in violation of The Karnataka Scheduled Castes and Scheduled Tribes (Prohibition of Transfer of Certain Lands) Act, 1978. The Bangalore North Sub-divisional Officer vide Order dated 15.12.2005, dismissed the Said Petition in view of the Judgment dated 01.04.2004, Passed by the High Court of Karnataka in W.A.720/01 (SC.ST).



Mylarappa, s/o. Late Muniyappa, initiated proceedings against S.N.Subba Reddy and S.Martin, in the Court of Bangalore North Sub-divisional Officer which came to be numbered as Petition bearing No.K.SC.ST.107/2010-11, seeking restoration of the Subject Property in his favour and declare the earlier Sale Deed's conveying the Subject Properly as null and void, as the same was conveyed in violation of The Karnataka. Scheduled Castes and Scheduled Tribes (Prohibition of Transfer of Certain Lands) Act, 1978 (hereinafter "PTCL Act"). The Assistant Commissioner vide Order dated 25.06.2012 noted .violation of the provisions of PTCL Act and forfeited the lands and ordered restoration of the Subject Properly to Mylarappa, s/o Late Muniyappa, i.e., the Petitioner, free from all encumbrances.

Subsequently, the said Order dated 25.06.2012 was challenged vide Appeal be wing No. SC.ST(A).65./2012-13, in the Court of Deputy Commission, Bangalore District. The Deputy Commissioner vide Order dated 06.03.2018 dismissed the said Appeal and upheld the Order passed by the Assistant Commissioner.

Thereafter the above said Order dated 06.03.2018 passed by the Deputy Commissioner was challenged in the High Court of Karnataka, Bangalore Bench, vide Writ Petition No. 12848/2028 (SC-ST), where in the Hon'ble High Court has allowed the Appeal and has set aside the order passed by the Deputy Commissioner in its Order dated 13.12.2018 and held that initiation of proceedings in the year 2010-2011 is clearly not tenable in view of the law laid down by the Apex Court.

Thus, in view of the above Order passed by the Hon'ble High Court of Karnataka, the ownership of the Subject Property is restored to the current purchaser, i.e.,S.Martin,S/o. Santhiagu.

Property tax receipt dt. 27.08.2020 for the year 2020-2021 issued by Kannamangala Grama Panchayath, Bangalore paid in respect of the project property in the names of the Mr.S. Martin.

Place: Bangalore

SIGNATURE OF THE ADVOCATE



KAVITHA S. & ASSOCIATES,  
Advocates & Legal Consultants,  
**Bangalore.**

**CERTIFICATE:**

**Therefore, we certify that S.Martin (Land Owner),** is the absolute Owner of Schedule Property and its title is good and marketable.

S.Martin (Land Owner), is empowered to sell the flats constructed on the schedule property. Prospective purchasers will derive valid title over the same.

**Proposed Purchaser/s on purchase of the Apartments/Flats either falling to the share of the Promoter or the share retained by the Owners shall derive right, title interest over the said property.**

**DISCLAIMER:** We have based our report on the review and examination of Photocopies of documents furnished to us while conducting the due diligence for the Subject Property.

Hence this legal opinion.

Kavitha S.  
Advocate  
**KAVITHA. S.**  
**ADVOCATE & LEGAL CONSULTANT**  
**BENGALURU**

