



Bangalore.  
Date: 19.03.2025

**TITLE OPINION**

**PRESENT OWNER:Dr. L Sreenivas Murthy S/o Nagappa**

**SHEDULEPROPERTY:**

All that piece and parcel of Residential Property having Site NO. 412/62 of BBMP Ward No. 32-Kaval Byrasandra Range (Old No. 95-kaval byrasandra Range), having PID No. 95-1-62, Sultan Palya Main Road, (earlier portion of Old Sy. 53/1,Mattadahalli village, KasabaHobli, Bangalore North Taluk),Bangalore measuring East to West 190.98 feet and North to South 200 feet in all measuring 38,196 square feet(3548.52 Square Meters) and bounded as follows:

**EAST BY : Sultan Palya Main Road**  
**WEST BY : Private Property**  
**NORTH BY : Private Property and 20 feet Road**  
**SOUTH BY : Municipal No. 63.**

**List of Documents made available for Scrutiny:**

*(All Documents verified are copies)*

1. Index of Lands in respect of Sy. 53 /1 measuring 1-11acres with 2 Guntas Kharabi.e 1-09 acres.Owner- Papaiah S/oMuniappa alias Appanna as per M.R. No. 3457/1965-66 dated 18.4.1966.

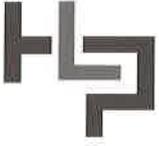




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2. Record of Rights entry No. 148, 149 and 512 reflecting Sy. 53/1 measuring 1-11 acres with 2 Guntas Kharabi.e 1-09 acres. Owner- Papiah bin Muniappa alias Appanna as per M.R. No. 3457/1965-66 dated 18.4.1966. Mentions that the same is acquired from one Balaji Singh through Sale deed registered as Document NO. 1038 dated 11.5.1966.
3. Hissa Survey Tippani of Sy. 53/1.
4. Akarband of Sy.53/1 measuring 1-11 acres with 2 Guntas Kharabi.e 1-09 acres.
5. RTC for 1975-77, 1993-1994 in respect of Sy.53/1 measuring 1-11 acres with 2 Guntas Kharabi.e 1-09 acres, Owner- Papiah bin Muniappa.
6. Partition Deed (unregistered) dated 25.3.1974 by and between the children of Appannauruf Muniyappa whereby all the Joint Family properties were divided. Doddachowdappa- A Schedule, Chikkachowdappa- B. Schedule, Papiah- C Schedule, Nagappa- D Schedule- 1 acre 9 Guntas in Sy. 53/1, 2 acres 4 Guntas in Sy. 53/2, Site nos 1 and 2 in Division No. 46 measuring 60 x10 ft., Site No. 3 in Sultanpalya 46<sup>th</sup> Division measuring 9 ½ feet x 10 feet, and son Late Venkataramanappa's son S.V. Krishnappa- E Schedule.
7. Compromise petition in OS 3577/1989 by M. Lakshminarayanappa vs. Nagappa and others along with order dated 26.7.1989 drawing final decree as per terms is compromise petition:
  - Komala - Site No.1, 53/1 measuring 50 x30.
  - Nirmala- Site No. 2, Sy. 53/1 measuring 50x30 ft.
  - Koushalya- Site No. 3, Sy. 53/1 measuring 50x30 ft.





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- Radha- Site No. 4, Sy. 53/1 measuring 50x30 ft.
- Rukmini- Site Nos. 5 and 6, Sy. 53/1 both measuring 50x30 ft.
- Sreenivasmurthy- Site Nos. 7,8,13 and 14 in Sy. 53/1 each measuring 29x52 feet, Site No. 15 measuring 41x60 ft of Matadahalli Village now called as Sultan Palya.
- Munilakshamma- Site Nos. 16, 17, and 18 measuring 60 x50 feet of Matadahalli Village now called as Sultan Palya.
- Lakshminarayanappa- Site Nos. 9, 10 and 11 measuring 52 x54 feet of Matadahalli Village now called as Sultan Palya.
- Chowdamma- Site No. 12 of Corporation No. 1/1 measuring 10 x 75 ft of SulatanPayal Main road.
- Nagappa- Sy. No. 53/2 measuring 1-06 acres.

8. Notarised Agreement dated 19.7.1993 between Nagappa S/o Late Appanna, Chowdamma w/o Nagappa, M. Lakshminarayanappa s/o Nagappa, Srinivas Murthy s/o Lakshminarayanappa, Komala w/o C.S. Dwarkanath, Nirmala d/o Lakshminarayanappa, Kousalya, Radha and Rukmini Daughters of Laksminarayanappa whereby family arrangement is entered into as following in Survey No. 53/1:

- Site Nos 1 to 6- Lakshminarayanappa.
- Site Nos. 7 to 12- Nagappa.
- Site Nos. 13 to 18- Srinivasmurthy.
- Daughters who are not allotted sited will be provided with sites f similar dimension elsewhere.
- Parties No. 1,2,4,5,6,7,8 and 9 who have executed GPA in favour of Lakshminarayanappa for management of property bearing Sy. 53/1.

9. Notarised Supplemental Agreement dated 24.4.1995 between Nagappa S/o Late Appanna, Chowdamma w/o Nagappa, M. Lakshminarayanappa s/o Nagappa, Srinivas Murthy s/o Lakshminarayanappa, Komala w/o

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C.S. Dwarkanath, Nirmala w/o Lakshminarayanappa, Kousalya, Radha and Rukmini Daughters of Laksminarayanappa in respect of properties situated in Sy. 53/1, Matadahalli, KasabaHobli, Bangalore North Taluk.

States that New site nos. are assigned which are the following:

- Site No. 9- Site No. 61/1, Site No. 8- Site No. 61/2, Site No. 7- Site No. 61/3 all measuring 40x50ft.
- Site No. 1- Site No. 61/4, Site No. 2- Site No. 61/5 all measuring 50 x 35 ft.
- Site Nos. 13,14 and 15 – Site No. 62/1, Site Nos. 16, 17, 18- Site Nos 62/2 both measuring 120 x 52 feet.
- Site No 3- Site No. 62/3, Site No. 4- Site No. – 62/4 measuring 50x52.
- Site No. 10,11,12- Site Nos 63/1, 63/2 and 63/3 measuring 40 x60.
- Site Nos 5 and 6 –Site Nos 63/4 and 63/5- 50 x 40 ft.

States that in view of assignment of Corporation Numbers following subdivisions are necessitated:

- Sy. 61 belonging to Nagappa is subdivided into 5 portions i.eSy. 61/1 toSy. 61/5 respectively.
- Sy. 62 belonging to Lakshminarayanappa is subdivided into4 portions i.eSy. 62/1 to Sy. 62/4 respectively.
- Sy. 63 belonging to L. Srinivas Murthy is subdivided into 5 portions i.eSy. 63/1 to Sy. 63/5 respectively.

10. Notarised Supplemental Family Arrangement Agreement dated 9.5.1995 between Nagappa S/o Late Appanna, Chowdamma w/o Nagappa, M. Lakshminarayanappa s/o Nagappa, Srinivas Murthy s/o Lakshminarayanappa, Komala w/o C.S. Dwarkanath, Nirmala w/o Lakshminarayanappa, Kousalya, Radha and Rukmini Daughters of Laksminarayanappa in respect of properties situated in Sy. 53/1,





Matadahalli, KasabaHobli, Bangalore North Taluk. States that in view of assignment of Corporation Numbers.

- Sy. 61 belonging to Nagappa is subdivide into 5 portions i.eSy. 61/1 roSy. 61/5 respectively.
- Sy. 62 belonging to Lakshminarayanappa is subdivided into 4 portions i.eSy. 62/1 roSy. 62/4 respectively.
- Sy. 63 belonging to L. Srinivas Murthy is subdivided into 5 portions i.eSy. 63/1 roSy. 63/5 respectively.

11. Notarised Memorandum dated 15.3.1996 in pursuance to oral partition dated 15.1.1996 between Nagappa S/o Late Appanna, Chowdamma w/o Nagappa, M. Lakshminarayanappa s/o Nagappa, Srinivas Murthy s/o Lakshminarayanappa, Komala w/o C.S. Dwarkanath, Asha, Kousalya, Radha and Rukmini Daughters of Lakshminarayanappa containing the following particulars:

(a) Schedule A- Properties allotted to Sri Nagappa as per Partition deed dated 25.3.1974:

-1 acre 9 Guntas in Sy. 53/1, 2 acres 4 Guntas in Sy. 53/2, Site nos 1,2 and 3 in Division No. 46 measuring 69 ½ x10 ft.

(b) Schedule B- Properties- allotted as per Agreement dated 19.7.1993:

- Land measuring 104 ft x 191 ft in Sy. 53/1- Lakshminarayanappa.
- Land measuring 50 ft x 191 ft in Sy. 53/1- Nagappa.
- Land measuring 50 ft x 191 ft in Sy. 53/1 - Srinivas Murthy.

(c) Schedule C- Properties allotted to parties on 15.1.1996:

- Nagappa- Property No. 14 in SY. 53/2 totally measuring 7110 square feet, vacant site in Sy. 53/2 measuring 6867 square feet,





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Municipal Nos. 1,2 and 3 in 46<sup>th</sup> Division Sultan Palya measuring 69 1.2 x 10 ft.

- Lakshminarayanappa- Vacant site in Sy. 53/2 measuring 76 x 76.6 ft.,
- Chowdamma- Vacant land in Sy. 53/2 measuring 4730 sq. ft
- Srinivas Murthy- Vacant Site in Sy. 53/2 measuring 6250 sq. ft.
- Komala- Vacant Site in Sy. 53/2 measuring 2200 sq. ft.
- Asha- Vacant Site in Sy. 53/2 measuring 2200 sq. ft.
- Kousalya- Vacant Site in Sy. 53/2 measuring 2200 sq. ft.
- Rukmini- Vacant Site in Sy. 53/2 measuring 2205 sq. ft.
- Radha- Vacant Site in Sy. 53/2 measuring 2205 sq. ft.

12. Registered Will dated 18.11.1997 registered as Document No. 276/1997-98 of Book II, Volume 170, pages 210 to 213 by Nagappa S/o Late Muniyappa.

a. To his Son Srinivasmurthy s/o Lakshminarayana(son of Nagappa)

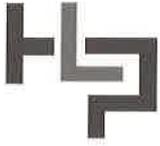
- Sultan Palya, Sy. 53/2, site No. 14 measuring 7997 square feet.
- Sultan Palya, Vacant Site in Sy. 53/2 measuring 7600 Sq. ft.
- Sultan Palya, Site Nos 1,2 and 3 in division No. 46 measuring 69 ½ x 10 ft.
- Matadahalli, Vacant Site in Sy. 53/1(No Measurement).

13. Registered Release deed dated 3.12.1999 registered as Document No. 2962/1999-2000 by M Lakshminarayanappa and his daughters Komala, AshaKousalya, Radha and Rukmini in favour of Srinivasmurthy s/o Lakshminarayanappa in respect of Site No. 63, Sy. 53/1 measuring 191 x 60ft.

14. Registered Will dated 22.5.2006, M Lakshminarayanappa registered as Document No. GAN-3-00039-2006-07 stored in CD NO.

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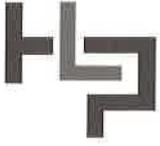




GAND64 whereby he bequeathed Municipal No. 62 measuring 191 feet x 104 feet to his son L. Srinivasmurthy.

15. Registered Gift deed dated 10.7.2006 reg. as Doc. No. GAN-1-01640-2006-07 stored in CD No. GAND68 by Lakshminarayanappa s/o Late Nagappa in favour of L. Srinivasmurthy s/o Lakshminarayanappa in respect of Municipal No. 62, Sultan Palya Main Road, Matadahalli(earlier portion of Sy. 53/1, Matadahalli Village, KasabaHobli, Bangalore North Taluk, Ward No. 95, Bangalore measuring 191 feet x104 feet i.e 19,864 square feet.
16. Registered Release deed dated 10.7.2006 reg. as Doc. No. GAN-1-01637-2006-07 stored in CD No. GAND68 between Lakshminarayanappa s/o Nagappa, Srinivas Murthy s/o Lakshminarayanappa, Komala w/o C.S. Dwarkanath and d/o M. Lakshminarayanappa, Asha, Kousalya, Radha and Rukmini Daughters of Laksminarayanappa. Since the Oral Partition dated 15.1.1996 recorded in Memorandum dated 15.3.1996 has not been acted upon, the present release deed has been executed releasing and relinquishing properties to each other according to the Memorandum dated 15.3.1996.
17. Registered rectification deed dated 18.12.2008 registered as Document NO. GNR-1-00874-2008-09 stored in CD No. GNRD6 by M. Lakshminarayappa s/o Nagappa in favour of L. Sreenivas Murthy s/o M. Lakshminarayanappa rectifying measurement mentioned in Gift deed dated 10.7.2006 reg. as Doc. No. GAN-1-01640-2006-07 as "191 x 104 ft totally measuring 19,864 square feet" to "191 x 150 + 156/2 ft totally measuring 29,223 square feet" in Municipal No. 62 Sultan Palya Main road,( earlier portion of Sy. 53/1, Mattadahalli Village), Bangalore.
18. Death Certificate of Munilakshamma. DOD- 16.6.1993.





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19. Death Certificate of A.M. Nagappa. DOD- 3.7.2002.
20. Death Certificate of M. Lakshminarayanappa. DOD- 2.1.2012.
21. Family tree of Appanna alias Muniyappa.
22. Khatha Certificate dated 18.6.1992 in respect of Site No. 62, Sultanpalya in the name of M. Lakshminarayanappa.
23. Khatha Certificate and Extract both dated 13.6.2017 in respect of Site No. 61 in Ward No. 95 having PID No. 95-1-61 measuring 9550 square feet at KavalByrasandra, Sultan Palya, Bangalore in the ownership of Dr. L. Srinivasmurthy.
24. Khatha Certificate and Extract both dated 12.12.2014 and 13.6.2017 respectively in respect of Site No. 62 in Ward No. 95 having PID No. 95-1-62 measuring 29, 223 square feet at KavalByrasandra, SulrhanPalya, Bangalore in the ownership of Srinivasa Murthy.
25. Tax paid receipt for 1995 to 2008 by L. Sreenivasa Murthy in respect of property having PID Number 95-1-62.
26. Tax Paid receipt for 2023-24 in respect of Site No. 61 in Ward No. 95 having PID No. 95-1-61 and Site No. 62 in Ward No. 95 having PID No. 95-1-62, Owner- Dr. L. Srinivasmurthy.
27. Nil EC from 1.4.2004 to 30.12.2021 in respect of Site No. 63, Sy. 53/1.





28. Notice dated 26.10.2021 issued by the Revenue Department stating that land in Sy. 53/1 will be surveyed on 23.2.2022 and all necessary parties are to be present.
29. Survey Sketch of Sy. 53/1 measuring 191 x 200+206/2 ft.
30. Survey Report of Sy. 53/1 measuring 35 ¼ Guntas i.e 38562.44 square feet.
31. Mahazar dated 23.2.2022 by the Land Surveyor, Bangalore North Taluk stating that land in Sy. 53/1 has been surveyed and map is prepared accordingly and no objections were raised on the same.
32. Order dated 18.11.2014 issued by the BBMP stating that Khatha has been issued to L. Srinivasmurthy in respect of Site No. 62, PID No. 95-1-62 measuring 29,223 square feet 9359 square feet had been left out from Tax Assessment earlier.
33. Betterment charges paid receipts for site Nos. 61 and 62.
34. Endorsement dated 9.8.2017 issued by the Thahsildar, Bangalore North taluk endorsing that RTCs for 1965 to 1974, 1978 to 1992, 1995 to 2000 in respect of Sy. 53/1 and MR 3457/1965-66 is unavailable.
35. Endorsment dated 17.11.2021 issued by the BBMP endorsing the Khatha and assessment details of Site NO. 61, PID No. 95-1-61 measuring 9550 square feet in the ownership of L. Srinivasmurthy.
36. Order No. DADW32/KR/14/2024-25, MTR/27/2024-25 dated 22.10.2024 issued by the Office of the Assistant Revenue officer, BBMP Amalgamating Site. No. 61 measuring 9550 square feet and Site. No. 62

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measuring 28650 square feet and numbering it Site No. 62, PID No. 95-1-62 measuring 38,196 square feet.

37. E-Khatha having Khatha No. 1698872 issued under Form-A(Rule-11) dated 5.11.2024 by the BBMP to Dr. L Srinivasmurthy in respect of Site No. 412/62 measuring 190.98 Square meters X 200 Square meters i.e totally 3548.52 square meters or 38,196 square feet.

### **Flow of Title**

Originally Agricultural Land being a Government land (Sarkari) in Sy. 53/1 measuring 1 Acre 11 Guntas including 2 Guntas Kharab i.e totally 1 acre 9 Guntas situated Mattadahalli village, Bangalore North Taluk is the Ancestral Property of Munishami Bin Gollappa as seen in Record of Rights entry No. 148. Subsequently the name of Papaiah s/o Muniyappa alias Appanna was mutated in respect of Sy. 53/1 as per MR No. 3457/1965-66 dated 18.4.1966 reflected in Record of Rights entry No. 512 and since then thereafter the name of Papaiah continued to be reflected in the revenue records. As per the Endorsement dated 9.8.2017 issued by the Thasildar, Bangalore North Taluk, MR 3457/1965-66 is unavailable.

On 25.3.1974, Papaiah S/o Appanna uruf Muniyappa, his father Muniyappa uruf Appanna and his brothers Doddachowdappa, Chikkachowdappa, Papayya, Nagappa and Late Venkataramanappa s/o Late Appanna's son S.V. Krishnappa entered into a unregistered partition deed partitioning all the joint family properties including Sy. No. 53/1 situated at Mattadahalli Village. As per the terms of the said Partition the Sy. No. 53/1 measuring 1 acre 9 Guntas amongst other Joint family properties fell to the share of one Nagappa s/o Appanna uruf Muniyappa. The said partition deed was fully acted upon and the same became final and conclusive. It is pertinent

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to mention that the Partition Deed, even though acted upon was not mutated in the revenue records and hence the name of Papayya s/o Late Appanna uruf Muniyappa continued in the revenue records including RTC's. However in pursuance of the partition deed, Sri. Nagappa s/o Late Appanna uruf Muniyappa was put in possession of the Sy. No. 53/1 measuring 1 acre 9 Guntas plus 2 Guntas Kharab.

Thereafter Venkataramanappa S/o S.V. Krishnappa who is the brother of Papaiah and son of Late Appanna uruf Muniyappa's filed a suit for Permanent Injunction in O.S 416/1980 on the file of the III Additional First Munsiff, Bangalore against Appanna uruf Muniyappa', Doddachowdappa, Chikkachowdappa, Papayya, Nagappa and their Legal heirs. The suit came to be decreed as per order dated 3.3.1980, whereby the Family Partition effected on 25.3.1974 was confirmed confirming that Sri. Nagappa S/o Muniyappa uruf Appanna was the absolute owner of Sy. 53/1 measuring 1 acre 9 Guntas. Thereafter the son of Nagappa i.e Sri Lakshminarayanappa filed a partition suit in O.S 3577/1989 on the file of the City Civil Judge, Bangalore against Nagappa s/o Late Appanna uruf Muniyappa, Chowdamma w/o Nagappa, M., Srinivas Murthy s/o Lakshminarayanappa, Komala w/o C.S. Dwarkanath and D/o Lakshminarayanappa, Nirmala D/o Lakshminarayanappa, Kousalya, Radha and Rukmini Daughters of Lakshminarayanappa, Munilakshamma w/o Lakshminarayanappa. The said suit came to be compromised on 26.7.1989 and final decree was drawn on compromise whereby Sy. No 53/1 was divided into several sites and given to share of each party in the said suit detailed herein below:

- Komalaw/o C.S. Dwarkanath and D/o Lakshminarayanappa - Site No.1, 53/1 measuring 50 x30.
- Nirmala d/o Lakshminarayanappa - Site No. 2, Sy. 53/1 measuring 50x30 ft.





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- Kousalya d/o Lakshminarayanappa - Site No. 3, Sy. 53/1 measuring 50x30 ft.
- Radha d/o Lakshminarayanappa - Site No. 4, Sy. 53/1 measuring 50x30 ft.
- Rukmini d/o Lakshminarayanappa - Site Nos. 5 and 6, Sy. 53/1 both measuring 50x30 ft.
- Sreenivasmurthy s/o Lakshminarayanappa - Site Nos. 7,8,13 and 14 in Sy. 53/1 each measuring 29x52 feet, Site No. 15 measuring 41x60 ft of Matadahalli Village now called as Sultan Palya.
- Munilakshamma d/o Lakshminarayanappa - Site Nos. 16, 17, and 18 in Sy. 53/1 measuring 60 x50 feet of Matadahalli Village now called as Sultan Palya.
- Lakshminarayanappa S/o Nagappa- Site Nos. 9, 10 and 11 measuring 52 x54 feet in Sy. 53/1 of Matadahalli Village now called as Sultan Palya.
- Chowdamma w/o Nagappa- Site No. 12 in Sy. 53/1 of Corporation No. 1/1 measuring 10 x 75 ft of SulatanPayal Main road.

However the said decree was not acted upon and the entire Sy. 53/1 was not divided and remained in the joint ownership of the family and the land continued to be one piece of vacant land even though it appears that 18 sites were demarcated amongst the family members. It is evident that such an arrangement was among the family members and no official document has been issued from concerned Authorities Surveying and demarcating sited. Subsequently on 16.6.1993, Smt. Munilakshamma d/o Lakshminarayanappa died. Thereafter on 19.7.1993 Nagappa S/o Late Appanna, Chowdamma w/o Nagappa, M. Lakshminarayanappa s/o Nagappa, Srinivas Murthy s/o Lakshminarayanappa, Komala w/o C.S. Dwarkanath, Nirmala d/o Lakshminarayanappa, Kousalya, Radha and





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Rukmini Daughters of Lakshminarayanappa entered into a Notarised Family Arrangement Agreement whereby the Vacant sites No. 1 to 18 in Sy. No. 53/1 came to be divided as follows:

- Site Nos 1 to 6- Lakshminarayanappa s/o Nagappa.
- Site Nos. 7 to 12- Nagappa s/o Late Appanna uruf Muniyappa,
- Site Nos. 13 to 18- Sreenivas Murthy s/o Lakshminarayanappa.
- Daughters who are not allotted sites will be provided with sites of similar dimension as allotted in compromise decree elsewhere.

In the meantime the said land came within the limits of corporation of the city of Bangalore around the year 1985 and sites were formed and entire Sy. No. 53/1 was assigned new Site Numbers including Site Nos. 61, Site No. 62 and Site No. 63. Since the family arrangement agreements had not been acted upon upto that point Sri Nagappa S/o Appanna uruf Muniyappa paid betterment charges and necessary taxes/cess as assessed and notified by the then Corporation of the City of Bangalore.

The family decided that agreement dated 19.7.1993 required further adjustment and modifications in view of the property being assigned new Corporation numbers whereby 61 subdivided into Site Nos. 61/1 to 61/5, Site No. 62 subdivided into Site Nos. 62/1 to 62/4, and Site No. 63 further subdivided into Site Nos. 63/1 to 63/5. Hence a Notarised Supplementary Family arrangement dated 24.4.1995 and 9.5.1995 was entered into between Nagappa S/o Late Appanna, Chowdamma w/o Nagappa, M. Lakshminarayanappa s/o Nagappa, Sreenivas Murthy s/o Lakshminarayanappa, Komala w/o C.S. Dwarkanath, Nirmala d/o Lakshminarayanappa, Kousalya, Radha and Rukmini Daughters of Lakshminarayanappa whereby the following was clarified and agreed upon:

States that New Corporation nos. are assigned which are the following:





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- Site No. 9- Site No. 61/1, Site No. 8- Site No. 61/2, Site No. 7- Site No. 61/3 all measuring 40x50ft.
- Site No. 1- Site No. 61/4, Site No. 2- Site No. 61/5 all measuring 50 x 35 ft.
- Site Nos. 13,14 and 15 – Site No. 62/1, Site Nos. 16, 17, 18- Site Nos 62/2 both measuring 120 x 52 feet.
- Site No 3- Site No. 62/3, Site No. 4- Site No. – 62/4 measuring 50x52.
- Site No. 10,11,12- Site Nos 63/1, 63/2 and 63/3 measuring 40 x60.
- Site Nos 5 and 6 –Site Nos 63/4 and 63/5- 50 x 40 ft.

Accordingly the site numbers are allotted to each party as detailed hereinbelow:

- Site Nos. 62/1 to 62/4- Lakshminarayanappa s/o Nagappa.
- Site Nos. 61/1 to 61/5 - Nagappa s/o Late Appanna uruf Muniyappa,
- Site Nos. 63/1 to 63/5- Sreenivas Murthy s/o Lakshminarayanappa.

Even though there site Nos. 61, 62 and 63 seems to have been subdivided, there does not seem to be any document available in the Office of the BBMP bifurcating the site numbers as stated in the Agreement dated 19.7.1993. Moreover there is no reference to any subdivided site numbers thereafter. It is also pertinent to mention that said Agreement, though executed were never acted upon as differences arose with regard to division of properties and at the intervention of well-wishers and common friends of parties hereto, a Panchayat was held on 15.1.1996 and oral partition was agreed upon. In

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pursuance to the same a Notarised Memorandum dated 15.3.1996 dated 15.1.1996 came to be entered into between Nagappa S/o Late Appanna, Chowdamma w/o Nagappa, M. Lakshminarayanappa s/o Nagappa, Srinivas Murthy s/o Lakshminarayanappa, Komala w/o C.S. Dwarkanath, Asha, Kousalya, Radha and Rukmini Daughters of Laksminarayanappa whereby properties allotted to each member is clarified and amongst all properties, in respect of properties in Sy. 53/1 in Schedule B to the Memorandum clarifies allotment as per Agreement dated 19.7.1993 as follows:

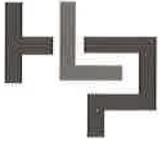
- Land measuring 104 ft x 191 ft in Sy. 53/1- Lakshminarayanappa.(Site No. 62)
- Land measuring 50 ft x 191 ft in Sy. 53/1- Nagappa.(Site No. 61)
- Land measuring 50 ft x 191 ft in Sy. 53/1 - Sreenivas Murthy.(Site No. 63)

Sri Nagappa s/o late Muniyappa uruf Appanna died on 03.07.2002 leaving behind his last will and testament i.e Registered Will dated 18.11.1997 registered as Document No. 276/1997-98 of Book II, Volume 170, pages 210 to 213 bequeathing vacant site in Sy. 53/1 in his ownership i.e Site No. 61 in favour of Dr. L. Sreenivasmurthy. However the said will was not acted upon.

Thereafter by way of a Registered Release deed dated 3.12.1999 registered as Document No. 2962/1999-2000 M Lakshminarayanappa and his daughters Komala, Asha, Kousalya, Radha and Rukmini released their rights title and interest in favour of Dr. L Sreenivasmurthy s/o Lakshminarayanappa in respect of Site No. 63, part of Sy. 53/1 measuring 191 ft x 50 ft. The said release deed was executed as a formality even though Dr. L. Sreenivasmurthy was in peaceful possession of the said property and had been paying regular municipal taxes in favour of the Bangalore City Corporation.

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Since the Oral Partition dated 15.1.1996 recorded in Memorandum dated 15.3.1996 had not been acted upon, for the sake of better assurance of title and for making a proper record of the oral partition dated 15.1.1996, a Registered Release deed dated 10.7.2006 reg. as Doc. No. GAN-1-01637-2006-07 stored in CD No. GAND68 came to be executed between Lakshminarayanappa s/o Nagappa, Sreenivasmurthy s/o Lakshminarayanappa, Komala w/o C.S. Dwarkanath and d/o M. Lakshminarayanappa, Asha, Kousalya, Radha and Rukmini Daughters of Laksminarayanappa releasing and relinquishing properties to each other according to the Memorandum dated 15.3.1996. **Thus Dr. L. Sreenivasmurthy became the absolute owner of Site in Municipal No. 61, measuring 191 ft x 50 fti.e 9550 square feet Sultan Palya Main road,( earlier portion of Sy. 53/1, Mattadahalli Village), Bangalore.**

On 22.5.2006, M Lakshminarayanappa executed his last will and testament registered as Document No. GAN-3-00039-2006-07 stored in CD NO. GAND64 whereby he bequeathed Municipal No. 62 to his son L. Sreenivasmurthy. However the same was not executed and before his demise, in consideration of natural love and affection to his son, a Registered Gift deed dated 10.7.2006 reg. as Doc. No. GAN-1-01640-2006-07 stored in CD No. GAND68 Lakshminarayanappa s/o Late Nagappa Gifted Municipal No. 62 Sultan Palya Main Road, Matadahalli(earlier portion of Sy. 53/1, Matadahalli Village, Kasaba Hobli, Bangalore North Taluk, Ward No. 95, Bangalore measuring 191 ft x104 fti.e 19864 square feet in favour of Dr. L. Sreenivasmurthy s/o Lakshminarayanappa.

Since there was an error in the measurement mentioned in the Registered Gift deed dated 10.7.2006 reg. as Doc. No. GAN-1-01640-2006-07 in respect of Site No. 62 in SY. 53/1, a registered rectification deed dated 18.12.2008 registered as Document NO. GNR-1-00874-2008-09 stored in CD No. GNRD6 came to be executed by M. Lakshminarayappa s/o Nagappa in favour of L. Srinivasmurthy

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s/o M. Lakshminarayanappa rectifying measurement mentioned in Gift deed dated 10.7.2006 reg. as Doc. No. GAN-1-01640-2006-07 from **“191 x 104 ft totally measuring 19,864 square feet”** to **“191 x 150 + 156/2 ft totally measuring 29,223 square feet”** in Municipal No. 62 Sultan Palya Main road, (earlier portion of Sy. 53/1, Mattadahalli Village), Bangalore. On 18.11.2014, the BBMP has also passed an order to issue Khatha to Dr. L. Sreenivasa Murthy in respect of Site No. 62, PID No. 95-1-62 measuring 29,223 square feet as 9359 square feet had been left out from Tax Assessment earlier. **Thus Dr. L Sreenivasmurthy became the absolute owner of 29,223 square feet in Site No. 62 and 9550 square feet in site No. 61 i.e totally 38,773 square feet.**

On 26.10.2021, on an Application by Dr. L. Sreenivasmurthy a Notice issued by the Revenue Department stating that land in Sy. 53/1 will be surveyed on 23.2.2022 and all necessary parties are to be present. Accordingly on 23.2.2022, land in Site No. 61 and 62 was surveyed and a Mahazar dated 23.2.2022 by the Land Surveyor, Bangalore North Taluk stating that land in Sy. 53/1 has been surveyed and map is prepared accordingly and no objections were raised on the same. Accordingly a Survey report was prepared whereby as per Survey, sites No. 61 and 62 situated in Sy. 53/1 is reported to be totally measuring 35 ¼ Guntas i.e 38,562.44 Square feet.

Thereafter on an Application by Dr. L. Sreenivasmurthy to the BBMP for amalgamation of Site No. 61 and Site No. 62 by the BBMP, the BBMP once again measured the said sites and accordingly Order No. DADW32/KR/14/2024-25, MTR/27/2024-25 dated 22.10.2024 came to be issued by the Office of the Assistant Revenue officer, BBMP Amalgamating Site. No. 61 measuring 9550 square feet and Site. No. 62 measuring 28,650 square feet and numbering it Site No. 62, PID No. 95-1-62 measuring 38,196 square feet. E-Khatha having Khatha No. 1698872 issued under Form-A(Rule-11) dated 5.11.2024 by the BBMP to Dr. L Sreenivasmurthy in respect of Site No.

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412/62 measuring 190.98 Square meters X 200 Square meters i.e totally 3548.52 square meters or 38,196 square feet. On 5.11.2024, E-Khatha having Khatha No.1698872 is issued to Dr. L Sreenivasmurthy by the BBMP to in respect of Site No. 412/62 measuring 190.98 Square meters X 200 Square meters i.e totally 3548.52 square meters or 38,196 square feet. Dr. L. Sreenivasmurthy has paid the Property tax for the year 2024-25 in respect of Amalgamated Site No. 412/62. There are no other Encumbrances in respect of the subject property other than what is specifically mentioned herein.

**Opinion of Title**

Thus, of the basis of the Documents referred to above and representations made, I am of the considered opinion that:

1. **Dr. L. Sreenivasmurthy S/o Late M. Lakshminarayanappa** aged about 51 years residing at No. 14, 1<sup>st</sup> Main Road, Sultanpalya, R.T. Nagar, Bangalore- 560032 is the absolute owner and in possession of the **Schedule Property** as detailed herein above.
2. As per the documents made available to me here appears to be no pending litigations, acquisition proceedings, claims, registered charges or encumbrances in respect of the **Schedule Property**.

This Legal Opinion has been given without any interest, direct or indirect after verifying the necessary papers and is subject to making available Original Documents.

**Disclaimer:** While conducting the Title Scrutiny, I have assumed the genuineness of all signatures and conformity of photocopies or extracts submitted to me. Further I have also relied on various oral representations made to me by your representatives in respect of the subject property. Other than as specifically mentioned, I have

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not inspected the property or verified physically possession or boundaries and not independently validated the information provided to me with records of the Jurisdictional Sub- Registrar, Revenue authorities or with any external sources and have not conducted any independent searched at the Courts or forums or Government Offices in respect to the Subject property and this opinion shall not be used as evidence in any courts, forums or authorities.

Bangalore.

Date: 19.03.2024

  
For Haranahalli Law Partners LLP



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