

Date: 08.09.2023

To,

M Square Infra,
Mr. C. Madhusudana Rao,
Mr. K. Muralidhar.

LEGAL OPINION

On the basis of the copies of title deed/s given to me, pertaining to the immovable converted property bearing Sy. No.185 (Earlier bearing Sy. No.87/8, Block II), having BBMP Khatha No. 2266/104/3007/185/1, No.2273/101/3008/1/A, No.2272/104/3007/185/6, Situated at Kothanur Village Uttarahalli Hobli Bangalore South Taluk Bangalore (Converted vide Official Memorandum No.BDS.ALN.SR(S):227/2003-04 dated 29.10.2003, issued by the Special Deputy Commissioner, Bangalore District), Bangalore, measuring in all 58,637 Sq. fee and based on the other documents submitted by you, I have conducted a detailed search and investigation and submit my report as under:

I. Name of the Title Holders.

01. Sri. P.M. Changama Raju,
S/o. Late Munishama Raju @ Muniswamy Raju,
Residing at No.7, New No.50/7,
16th Main, 39th Cross, 4th T Block,
Jayanagar, Bengaluru - 560 041.

02. Sri. P.M Hemantha Raju,
S/o. Late Munishama Raju @ Muniswamy Raju,
Residing at No.185, Muniswamy Raju Layout,
Kothanur Dinne, J P Nagar 8th Phase,
Bengaluru - 560 076.



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03. Sri. P.M Thirumala Raju,
S/o. Late Munishama Raju @ Muniswamy Raju,
Residing at No.185, Muniswamy Raju Layout,
Kothanur Dinne, J P Nagar 8th Phase,
Bengaluru - 560 076.
04. Sri P.M Damodar Raju,
S/o. Late Munishama Raju @ Muniswamy Raju,
Residing at No.185/01, Muniswamy Raju Layout,
Kothanur Dinne, J P Nagar 8th Phase,
Bengaluru - 560 076.
05. Smt. Jayamma
W/o. Late Munishama Raju @ Muniswamy Raju,
Residing at No.184, Muniswamy Raju Layout,
Kothanur Dinne, J P Nagar 8th Phase,
Bengaluru - 560 076.
06. Smt. M. Prema @ Lakshmi,
D/o. Late Munishama Raju @ Muniswamy Raju,
W/o. Mr. Venkatanarasa Raju,
Residing at No.20, 2nd Main,
1st Cross, Vasanthgavallabha Nagar,
Kothanur Dinne, J P Nagar 8th Phase,
Bengaluru - 560 076.

II. Description of schedule property.

Schedule A Property

All that piece and parcel of immovable converted property bearing Sy. No.185 (Earlier bearing Sy. No.87/8, Block II), having BBMP Khatha No.2266/104/3007/185/1, Situated at Kothanur Village, Uttarahalli Hobli, Bangalore South Taluk, Bangalore (Converted vide Official Memorandum No.BDS.ALN.SR(S):227/2003-04 dated 29.10.2003, issued by the Special Deputy Commissioner, Bangalore District), Bangalore measuring in all



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41011 Sq. feet and bounded on the:

- East by : Portion of land in Sy.No.185 (Old Sy. No.87/8, Block II)
belonging by Smt. Jayamma and Smt. Prema @ Lakshmi;
- West by : Property belonging to Smt. P M Damodara Raju;
- North by : Road;
- South by : Property Belonging to BMRCL/Namma Metro.

Schedule B Property

All that piece and parcel of immovable converted property bearing Sy. No.185 (Earlier bearing Sy. No.87/8, Block II), having BBMP Khatha No.2273/101/3008/1/A, Situated at Kothanur Village, Uttarahalli Hobli, Bangalore South Taluk, Bangalore (Converted vide Official Memorandum No.BDS.ALN.SR(S):227/2003-04 dated 29.10.2003, issued by the Special Deputy Commissioner, Bangalore District), Bangalore, measuring on East 70 Feet, West 70 Feet, North 80 Feet, South 80 Feet, totally admeasuring 5600 Sq. feet and bounded on the:

- East by : 30 Feet wide common passage formed in Sy. No.185;
- West by : Remaining portion of land in Sy. No.185 (property held jointly by first party);
- North by : Road;
- South by : Remaining portion of land in Sy. No.185.

Schedule C Property

All that piece and parcel of immovable converted property bearing Sy. No.185 (Earlier bearing Sy. No.87/8, Block II), having BBMP Khatha



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No.2272/104/3007/185/6, Situated at Kothanur Village, Uttarahalli Hobli, Bangalore South Taluk, Bangalore (Converted vide Official Memorandum No.BDS.ALN.SR(S):227/2003-04 dated 29.10.2003, issued by the Special Deputy Commissioner, Bangalore District), Bangalore, measuring on East 150 Feet, West 150 Feet, North 80.2 Feet, South 80.2 Feet, totally admeasuring 15026 Sq. feet and bounded on the:

- East by : 30 Feet wide common passage formed in Sy. No.185;
West by : Property belonging to Mr. P. M. Changama Raju, Mr. P.M. Hemantha Raju, Mr. P.M. Thirumala Raju and P.M. Damodar Raju;
North by : Property belonging to Smt. Jayamma;
South by : Property retained by the third party in the same land.

Composite Schedule Property
(After Clubbing Schedule 'A' to 'C' above)

All that piece and parcel of the immovable converted property bearing Sy. No.185 (Earlier bearing Sy. No.87/8, Block II), having BBMP Khatha No. 2266/104/3007/185/1, No.2273/101/3008/1/A, No.2272/104/3007/185/6, Situated at Kothanur Village Uttarahalli Hobli Bangalore South Taluk Bangalore (Converted vide Official Memorandum No.BDS.ALN.SR(S):227/2003-04 dated 29.10.2003, issued by the Special Deputy Commissioner, Bangalore District), Bangalore, measuring in all 58,637 Sq. feet and bounded on:

- East by : Road and Portion of land in Sy. No.185 (Old Sy. No.87/8, Block II);



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West by : Property belonging to Mr. P M Damodara Raju;
 North by : Road;
 South by : Property belonging to BMRCL/Namma Metro.

III. DOCUMENTS FURNISHED FOR SCRUTINY:

01		Index of Land in respect of Sy. No.185
02		Records of Rights in respect of Sy. No.185
03		RTC for the year 1974-75 to 1993-94 in respect of Sy. No.87/8
04		RTC for the year 1979-80 to 2013-14, 2016-17 in respect of Sy. No.185
05		Sale Certificate executed by Deputy Commissioner, Bangalore District in favour of K Narasaraju, registered on 18.06.1971 in the office of the Sub-registrar, Bangalore South Taluk vide Document No.1411/71-72 of Book No.1, Volume 87 at pages 35-36
06	25.04.1974	Sale Deed executed by K Narasaraju in favour of K Munishami Raju, registered on 30.05.1974 in the office of the Sub-registrar, Bangalore South Taluk vide Document No.948/74-75 of Book No.1, Volume 1048 at pages 221-224
06	15.02.1979	Sale Deed executed by K Munishami Raju in favour of Munishami Raju, registered in the office of the Sub-registrar, Bangalore South Taluk vide Document No.7028/78-79 of Book No.1, Volume 1374 at pages 104-106
07	30.01.1988	Order passed by the Assistant Commissioner, Bangalore Sub-division, Bangalore in Case No. LRF (83) 394/86-87
08	08.02.2000	Land holding certificate issued by the Village Accountant, Gottigere Circle, Uttarahalli Hobli, Bangalore South Taluk
09	10.07.2001	Endorsement issued by the BDA
10	21.01.2003	Endorsement issued by the Tahasildar, Bangalore South Taluk
11	06.10.2003	Intimation letter to pay the Conversion Charges in



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		respect of Sy. No.185, measuring 4 Acres 33 guntas
12	29.10.2003	Conversion Order in respect of Sy. No.185, measuring 4 Acres 33 guntas
13	25.10.2005	Death Certificate of Muniswamy Raju
14	04.01.2010	Endorsement issued by the BDA
15	04.01.2010	Endorsement issued by the Special Land Acquisition Officer, BDA
16	09.12.2010	Order passed by the Karnataka Appellate Tribunal in Case No. Appeal No.609/2007
17	09.05.2011	Corresponding letter addressed by the Assistant Commissioner, Bangalore South Sub-division, Bangalore to Tahasildar, Bangalore South Taluk.
18	12.08.2013	Deed of Family Settlement entered between Jayamma and others, registered on 13.08.2013 in the office of the Sub-registrar, Jayanagar [Bommanahalli], Bangalore vide Document No.JPN-1-05273-2013-14 of Book No.1, stored in CD No.JPND227
19	07.09.2013	Special Notice issued by the BBMP
20	26.02.2014	Khatha certificate and extract issued by the BBMP in the name of the P M Changama Raju and others
21	24.07.2014	Khatha certificate and extract issued by the BBMP in the name of the Jayamma
22	27.09.2014	JDA entered between P M Changama Raju and others and M/s. KPR Realty India Private Limited, registered in the office of the Sub-registrar, Jayanagar [BTM Layout], Bangalore vide Document No.BTM-1-04218-2014-15 of Book No.1, stored in CD No.BTMD74
23	27.09.2014	GPA executed by P M Changama Raju and others in favour of M/s. KPR Realty India Private Limited, registered in the office of the Sub-registrar, Jayanagar [BTM Layout], Bangalore vide Document No.BTM-1-00160-2014-15 of Book No.1, stored in CD No.BTMD74
24	16.10.2019	Police Complaint given by KPR Realty India Private Limited
25	16.10.2019	Lost Article Report
26	04.11.2019	Board Resolution of KPR Realty India Private Limited
27	04.11.2019	Cancellation of JDA entered between M/s. KPR Realty



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		India Private Limited and P M Changama Raju and others, registered in the office of the Sub-registrar, Jayanagar [Bommanahalli], Bangalore vide Document No.BMH-1-06948-2019-20 of Book No.1, stored in CD No.BMHD1030
28	04.11.2019	Revocation/Cancellation of GPA entered between P M Changama Raju and others and M/s. KPR Realty India Private Limited, registered in the office of the Sub-registrar, Jayanagar [Bommanahalli], Bangalore vide Document No.BMH-4-00549-2019-20 of Book No.4, stored in CD No.BMHD1030
20	21.10.2022	Partition Deed entered between P.M. Changama Raju and others, registered on 03.11.2022 in the office of the Sub-registrar, Jayanagar [Bommanahalli], Bangalore vide Document No.BMH-1-07227-2022-23 of Book No.1, stored in CD No.BMHD1777
30	27.03.2023	Receipt for having paid the improvement charges
31	28.04.2023	Tax paid receipt for the year 2023-24 in respect of Khatha No.3007/185/1
32	28.04.2023	Tax paid receipt for the year 2023-24 in respect of Khatha No.3007/185/6
33	19.05.2023	Khatha certificate and extract issued by the BBMP in the name of the P M Changama Raju and others
34	19.05.2023	Special Notice issued by the BBMP
35	31.05.2023	Tax paid receipt for the year 2023-24 in respect of Khatha No.2266/104/3007/185
36	03.07.2023	Khatha certificate and extract issued by the BBMP in the name of the Jayamma
37	03.07.2023	Khatha certificate and extract issued by the BBMP in the name of the M Prema @ Lakshmi
38	14.07.2023	Rectification Deed entered between Jayamma and others, registered on 14.07.2023 in the office of the Sub-registrar, Bommanahalli vide Document No.BMH-1-03811-2023-24 of Book No.1
39	11.07.2023	Deed of Amalgamation entered between P M Changama Raju and others, registered in the office of the Sub-registrar, Bommanahalli vide Document No.BMH-1-03813-2023-24 of Book No.1



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40		Resurvey tippani in respect of Sy. No.185
41		Family tree of Muniswamy Raju
42		Tippani Copy in respect of Sy. No.185
43		Karda Copy in respect of Sy. No.185
44		Survey Sketch in respect of Sy. No.185
45		Akarband in respect of Sy. No.184 and 185
46		Mutation Register in M R No.8/74-75
47		Mutation Register in M R No.7/94-95
48		Mutation Register in M R No.4/2004-05
49		Mutation Register in M R No.29/2011-12
50		Encumbrance certificate from 01.04.1968 to 16.12.1980
51	26.07.2001	Encumbrance certificate from 01.06.1989 to 20.07.2001
52	09.10.2014	Encumbrance certificate from 01.04.2004 to 09.10.2014
53	20.08.2013	Encumbrance certificate from 01.04.2013 to 20.08.2013
54	22.11.2019	Encumbrance certificate from 01.04.2019 to 22.11.2019
55	17.01.2023	Encumbrance certificate from 01.04.2004 to 15.01.2023
56	05.08.2023	Encumbrance certificate from 01.04.2004 to 05.08.2023

IV. ACQUISITION OF TITLE:-

On perusal of documents furnished, it is observed that property bearing land in Sy. No.87/8 (Block II), measuring 5 Acres was auctioned by the Assistant Commissioner Bangalore Sub-division, Bangalore as per order of Government passed on 04.01.1969 in R.D 128 M.L.I 68. In the said auction one K.Narasaraju had emerged as highest bidder and accordingly the Deputy Commissioner, Bangalore district has executed a sale certificate in favour of said K.Narasaraju and the said sale certificate was registered on



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18.06.1971, in the office of the Sub-registrar, Bangalore South Taluk vide Document No.1411/71-72 of Book No.1, Volume 871 at page 35-36. Thus the said Sri. K. Narasaraju, S/o. Venkataswamy Raju had acquired ownership over the above said property.

Thereafter the said K.Narasaraju had sold land in Sy. No.87/8 (Block II), measuring 5 Acres in favour of K. Munishami Raju by virtue of a deed of sale dated 25.04.1974, which was registered on 30.05.1974, in the office of the Sub-registrar, Bangalore South Taluk vide Document No.948/1974-75 of Book No.1, Volume 1048 at Page 221-224. Accordingly the said K. Munishami Raju had acquired ownership over the above referred property. Even the revenue records were mutated in the said of said K.Munishami Raju as per M.R. No.8/74-75.

Subsequently the said K.Munishami Raju had sold the said land i.e. land bearing Sy. No.87/8 (Block II), measuring 5 Acres in favour of Munishami Raju, S/o. Mr. Guruvaraju, under a deed of sale dated 15.02.1979 registered in the office of the Sub-registrar, Bangalore South Taluk vide Document No.7028/197879 and by virtue of the said sale deed Munishami Raju had acquired ownership over the said land and he was also put in possession of the same. Even the revenue records were mutated in the said of said Munishami Raju as per M.R. No.16/78-79.

It is seen from the order passed by the Assistant Commissioner, Bangalore Sub-Division, Bangalore in Case No. LRF (83) 394/86-87 that the Government had initiated proceedings under Section 79 A of KLR Act and an order came to be passed for forfeiture of the said land. This order was



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later challenged by the children of Munishami Raju (after his death) i.e. P.M. Changama Raju, P. Hemantha Raju, P.M. Thirumala Raju and P.M. Damodara Raju in an appeal as against the order of the Assistant Commissioner before the Karnataka Appellate Tribunal in Case No.609/2007. The said appeal came to be allowed and order passed by the Assistant Commissioner in LRF (83) 394/86-87 dated 30.01.1988 was set aside.

The land in number Sy. No.87/8 (Block II), was renumbered as Sy. No.185 and later it was converted from agricultural purposes to non-agricultural residential purpose vide Official Memorandum No. BDS.ALN:SR(S):227/2003-04 dated 29.10.2003 by the Special Deputy Commissioner, Bangalore District.

It is seen that in the meanwhile the said Munishami Raju died intestate on 30.09.2005 leaving behind his legal heirs i.e. wife Jayamma and children namely P.M. Changama Raju, P.M. Hemantha Raju, P.M. Thirumala Raju, P.M. Damodar Raju and M. Prema @ Lakshmi and the above referred persons had acquired title in respect of the properties that are left behind by Munishami Raju, by virtue of law of succession.

Thereafter the said Jayamma, P.M. Changama Raju, P.M. Hemantha Raju, P.M. Thirumala Raju, P.M. Damodar Raju and M. Prema @ Lakshmi being the owners, had partitioned the properties that are left behind by the said Munishami Raju as per family settlement deed dated 12.08.2013, which was registered on 13.08.2013 as Document No.5273/2013-14, in the office of the Sub-registrar, Jayanagar (J P Nagar), Bangalore.



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As per the said family settlement,

- a) Mrs. Jayamma was allotted with 5344 Sq. feet of land in Sy. No.185.
- b) Mr. P.M. Changama Raju was allotted with 6661 Sq. feet of land in Sy. No.185,
- c) Mr. P.M. Hemantha Raju was allotted with 6671 Sq. feet of land in Sy. No.185.
- d) Mr. P.M. Changama Raju was allotted with 6693 Sq. feet of land in Sy. No.185.
- e) Mr. P.M. Damodar Raju was allotted with 6670 Sq. feet of land in Sy. No.185 and
- f) Mrs. Prema @ Lakshmi was allotted with 12026 Sq. feet of land in Sy. No.185.
- g) P.M. Changama Raju, P.M. Hemantha Raju, P.M. Thirumala Raju and P.M. Damodar Raju were jointly allotted with 1,14,491 square feet in Sy No 185.

Thereafter the said Jayamma, P.M. Changama Raju, P.M. Hemantha Raju, P.M. Thirumala Raju, P.M. Damodar Raju and M. Prema @ Lakshmi had entered in to a rectification deed, rectifying certain mistakes in the said family settlement dated 12.08.2013 and the said rectification deed was registered on 13.08.2013 in the office of the Sub-registrar, Jayanagar [J P Nagar] as Document No.JPN-1-05273-2013-14 of Book No.1, stored in CD No. JPND227.



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Thereafter on 27.09.2014 the said P.M. Changama Raju, P.M. Hemantha Raju, P.M. Thirumala Raju and P.M. Damodar Raju had entered into a joint development agreement with M/s. KPR Realty India Private Limited in respect of land measuring 2 Acres 25 guntas of land in Sy. No.185 and the said joint development agreement was registered in the office of the Sub-registrar, Jayanagar (BTM Layout), Bangalore as Document No. BTM-1-04218-2014-15 of Book No.1, stored in CD No. BTMD74. Even on the same day a GPA was also executed in favour of M/s. KPR Realty India Private Limited, which was registered in the office of the Sub-registrar, Jayanagar (BTM Layout), Bangalore as Document No. BTM-4-00160-2014-15 of Book No.4, stored in CD No..BTMD74.

It is seen that afore said joint development agreement dated 27.09.2014 was cancelled by the above said parties i.e. P.M. Changama Raju, P.M. Hemantha Raju, P.M. Thirumala Raju, P.M. Damodar Raju and M/s. KPR Realty India Private Limited as per cancellation of joint development agreement which was registered in the office of the Sub-registrar, Jayanagar (Bommanahalli), Bangalore as Document No. BMH-1-06948-2019-20 of Book No.1, stored in CD No. BMHD1030. Likewise, even the General power of attorney was also revocation/cancellation and the said deed was registered in the office of the Sub-registrar, Jayanagar (Bommanahalli), Bangalore as Document No. BMH-4-00549-2019-20 of Book No.4, stored in CD No. BMHD1030.



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A complaint under e lost portal was lodged stating that the original joint development dated 27.09.2014 and Original general power of attorney dated 27.09.2014 are lost.

The aforesaid P.M. Changama Raju, P.M. Hemantha Raju, P.M. Thirumala Raju, P.M. Damodar Raju had further entered into a deed of partition on 21.10.2022, registered as Document No. BMH-1-07227-2022-23 of Book No.1, stored in CD No. BMHD1777 in the office of the Sub-registrar, Jayanagar [Bommanahalli], Bangalore, wherein which the land measuring 1,14,491 Sq. feet in Sy. No.185 was further divided among themselves with other portions which were co-owned by the said P.M. Changama Raju, P.M. Hemantha Raju, P.M. Thirumala Raju, P.M. Damodar Raju. In the said partition once again the schedule A property (of this opinion) was once again to the said P.M. Changama Raju, P.M. Hemantha Raju, P.M. Thirumala Raju, P.M. Damodar Raju jointly and they became the co-owners of this land.

It is seen that thereafter the said Jayamma, P.M. Changama Raju, P.M. Hemantha Raju, P.M. Thirumala Raju, P.M. Damodar Raju and M. Prema @ Lakshmi had entered in to a rectification deed on 11.07.2023 in order to rectify the mistake regarding the extent of land which were allotted to the share of Smt. Jayamma in the deed of family settlement on 12.08.2013 and the said deed of rectification dated 11.07.2023 was registered on 14.07.2023 in the office of the Sub-registrar, Bommanahalli as Document No.BMH-1-03811-2023-24 of Book No.1.



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As stated above said manner the said Jayamma, P.M. Changama Raju, P.M. Hemantha Raju, P.M. Thirumala Raju, P.M. Damodar Raju and M. Prema @ Lakshmi had acquired absolute owners hip in respect of the properties that are allotted to their share and even the revenue records are mutated in their respective names.

Thereafter the said Jayamma, P. M. Changama Raju, P.M. Hemantha Raju, P.M. Thirumala Raju, P.M. Damodar Raju and M. Prema @ Lakshmi had entered into a deed of amalgamation on 11.07.2023, registered in the office of the Sub-registrar, Bommanahalli vide Document No. BMH-1-03813-2023-24 of Book No.1 and where in which the Schedule 'A' Property(owned by P.M. Changama Raju, P.M. Hemantha Raju, P.M. Thirumala Raju, P.M. Damodar Raju) was amalgamated with Schedule 'B' Property(owned by Jayamma) and Schedule 'C' Property (owned by M. Prema @ Lakshmi). Thus by amalgamating the above referred Schedule 'A, B & C' property a Composite Schedule Property was formed. Subsequent to the said amalgamation the revenue records were mutated in their name and they are paying taxes to the concerned authority.

This opinion is furnished purely on the basis of Photostat copies of the documents listed above and I had not made any physical inspection of the schedule property before furnishing this opinion.

V. PROPERTY TAX/S:

Tax is paid for the year 2023-24.



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VI. REVENUE ENTRIES:

Revenue Record standing in the name of Jayamma, P.M. Changama Raju, P.M. Hemantha Raju, P.M. Thirumala Raju, P.M. Damodar Raju and M. Prema @ Lakshmi to be collected.

VII. ENCUMBRANCE CERTIFICATES (EC) SCRUTINIZED:

Encumbrance certificate from 01.04.1968 to 16.12.1980, 01.06.1989 to 20.07.2001, 01.04.2004 to 09.10.2014, 01.04.2013 to 20.08.2013, 01.04.2019 to 22.11.2019, 01.04.2004 to 15.01.2023 and from 01.04.2004 to 05.08.2023 in respect of schedule property reflects execution of deeds referred to above. Encumbrance certificate produced do not disclose any other registered alienations or mortgages subsisting over the property.

VIII. CERTIFICATE ON TITLE AND MARKETABILITY OF PROPERTY:

In view of the aforesaid documents and information furnished, I am of the opinion that Jayamma, P.M. Changama Raju, P.M. Hemantha Raju, P.M. Thirumala Raju, P.M. Damodar Raju and M. Prema @ Lakshmi are the absolute owner of the Composite Schedule Property and having marketable title over the schedule property.

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Mariappa M S
Advocate

