

## **LEGAL SCRUTINY**

Dated: 10-12-2024

To,

NCC Urban Infrastructure Limited,  
Bengaluru.

Sir,

**SUBJECT : Legal Scrutiny in respect of the schedule property described hereunder, presently belonging to the owner Smt. Kamala Raman and developer M/s. NCC Urban Infrastructure Ltd., rep. by its Director MR. J S R Raju.**

On perusal of the following photocopies of documents that are made available to me, I am offering my legal opinion as follows:

I. **List of documents verified:**

1	08.11.1965	Sale Deed executed by Smt. Munivenkatamma, in favour of Sri. M. Puttanna, vide document no.3808/1965-66, of book-1, volume no.559, at pages 156 to 159, registered in the office of the Sub-Registrar, Bangalore South Taluk
2	29.09.1966	Sale Deed executed by Sri. M. Puttanna in favour of Sri. Manimuniyappa, vide document no. 3739/1966-67, of book-1, volume no. 607, at pages 240 to 242, registered in the office of the Sub-Registrar, Bangalore South Taluk
3	30.09.1966	Sale Deed executed by Sri. Manimuniyappa in favour of Sri. Abdul Subhan Saheb, vide document no. 3746/1966-67, of book-1, volume no. 607, at pages 245 to 248, registered in the office of the Sub-Registrar, Bangalore South Taluk
4	---	RTC's in respect of the Sy.No.11, measuring 3 acres 30



		guntas for the year 1982-83 to 1997-98, (manual), and 2011-12 to 2015-16, (computerized), both issued by Village Accountant,
5	08.02.1990	Mutation Register Extract bearing No. 02/1989-90, issued by Village Accountant, based on Sale Deed dated 30-09-1966 in respect of the Sy.No. 11 measuring 3 acres 30 guntas
6	09.02.1990	Sale Deed executed by Sri. Abdul Subhan Saheb S/o Late Abdul Rahiman Saheb, in favour of 1) Smt. Janaki Kumari and 2) Smt. J. Sobha Devi vide document no. 5579/1989-90, of book-1, volume no. 117, at pages 86 to 92, registered on 12-03-1990, in the office of the Sub-Registrar, Krishnarajapuram,
7	12.06.1990	Mutation Register Extract bearing No. 11/1989-90, issued by Village Accountant, based on Sale Deed dated 12-02-1990 in respect of the Sy.No. 11 measuring 3 acres 30 guntas
8	23.03.1993	Sale Deed executed by 1) Smt. Janaki Kumari and 2) Smt. J. Sobha Devi – rep. by her GPA holder Smt. Janakikumari, in favour of Sri. N. Rame Gowder vide document no. 9082/1992-93, of book-1, volume no. 669, at pages 114 to 117, registered on 05-06-1993 in the office of the Sub-Registrar, Krishnarajapuram,
9	---	Mutation Register Extract bearing No. 31/1995-96, issued by Village Accountant, Bangalore South Taluk, Bangalore City District in respect of the Sy.No. 11 measuring 1 acre 35 guntas
10	23.03.1993	Sale Deed executed by 1) Smt. Janaki Kumari and 2) Smt. J. Sobha Devi – rep. by her GPA holder Smt. Janakikumari, in favour of Sri. N. Rame Gowder vide document no. 9083/1992-93, of book-1, volume no. 673, at pages 58 to 61, registered on 10-06-1993 in the office of the Sub-Registrar, Krishnarajapuram,
11	---	Mutation Register Extract bearing No. 30/1995-96, issued by Village Accountant, Bangalore South Taluk, Bangalore City District in respect of the Sy.No. 11 measuring 1 acre 35 guntas

12	17.07.2009	Court Order bearing No. RRT(2)CR. 29/2002-03, passed in the Court of the Special Deputy Commissioner, Bangalore District
13	04.12.2009	Death Certificate of Nandhi Rama Gowder expired on 19-07-1993 issued by Government of Tamil Nadu
14	15.02.2010	Release Deed executed by 1) Smt. Dhaliammal W/o Late N. Rama Gowder, along with their children's namely Sri. R. Bojan, Sri. R. Lingaraj, Smt. Rajalakshmi, Smt. Savithri, Smt. Parvathi and Sri. Rajakannan in favour of their elder sister Smt. Kamala Raman D/o Late N. Rama Gowder vide document no. 2143/2010-11,
15	09.06.2010	Confirmation Letter issued by Tahsildar, Bangalore East Taluk, in the name of Sir. N. Rama Gowder S/o Nandhi Gowder in respect of the Sy.No. 11/P3 measuring 3 acres 30 guntas
16	---	Family Tree of N Rama Gowder issued by Village Accountant, Yelahanka Hobli, Bangalore North Taluk
17	21.06.2012	Mutation Register Extract bearing MR.No.H42/2011-12, in respect of the Sy.No. 11/p3 based on Court Order bearing no. RRTCR 551/2011-12, dated 04-06-2012 issued by Village Accountant, Bangalore East Taluk, Krishnarajapuram
18	28.04.2016	Karnataka Revision Settlement Akarband in respect of the Sy.No. 11 issue by Tahsildar, Bangalore East Taluk, Krishnarajapuram
19	---	Tippani, Akarbandh in Sy.No. 92, Map for Re-Survey number
20	14.12.2018	Court Order bearing no.rrt(be)no.234/2018 passed in the Court of the Assistant Commissioner, Bangalore
21	16.07.2019	Mutation Register Extract bearing MR.No.H2/2019-20, in respect of the Sy.No. 11 based on Court Order barring no. rrt(be)48/19/20 dated 01-06-2019 issued by Village Accountant
22	10.11.2022	Official Memorandum bearing No. ALN (KRPN 2)SR61/2022-23, issued by Deputy Commissioner, Bangalore City District, Bangalore in respect of the sy.no.92 measuring 3 acres 30 guntas converted from



		agricultural into non-agricultural residential purpose
23	18.11.2022	Mutation Register Extract bearing MR.No. T7/2022-23, in the name of Smt. Kamal Raman issued by Village Accountant, based on Official Memorandum dated 10-11-2022
24	---	RTC's Extract in respect of the sy.no. 11/P3, measuring 3 acres 30 guntas for the year from 2014-15 to 2017-18, Sy.No.11 measuring 32 acres 29 for the year from 2018-19 to 2021-22 and Sy.No.92 measuring 3 acres 23 guntas for the year from 2022-23 to 2024-25
25	24.03.2023	Joint Development Agreement entered into between Smt. Kamala Raman hereby appoints, nominate and constitute <b>M/s. NCC URBAN INFRASTRUCTURE LIMITED.</b> , rep. – by its Director Mr. J. S. R. Raju, vide document no. SHV-1-10263/2022-23, of book-1, stored in CD.No. SHVD1354, registered in the office of the Senior Sub-Registrar, Shivajinagar
26	24.03.2023	General Power of Attorney executed by Smt. Kamala Raman hereby appoints, nominate and constitute <b>M/s. NCC URBAN INFRASTRUCTURE LIMITED.</b> , rep. – by its Director Mr. J. S. R. Raju, vide document no. SHV-4-00797/2022-23, of book-4, stored in CD.No. SHVD1354, registered in the office of the Senior Sub-Registrar, Shivajinagar, Bangalore in respect of the Sy.No.11/P3, measuring 3 acres 23 guntas (excluding 7 guntas of kharab)
27	23.09.2011	Encumbrance Certificate SA.No.22106/2011-12, for the period from 01-04-1952 to 14-02-1957
28	16.08.1989	Nil Encumbrance Certificate SA.No.2582/1985-86 for the period from 13-05-1977 to 05-08-1985
29	20.10.2011	Encumbrance Certificate SA.No.22457/2011-12, for the period from 15-02-1957 to 31-05-1989
30	05.06.1989	Nil Encumbrance Certificate SA.No.2229/1989-90, for the period from 06-08-1985 to 31-05-1989
31	26.06.1996	Encumbrance Certificate SA.No.2601/1996-97, for the period from 01-06-1989 to 24-06-1996
32	26.06.1996	Encumbrance Certificate SA.No.2602/1996-97, for the

		period from 01-06-1989 to 24-06-1996
33	29.09.2011	Encumbrance Certificate SA.No.15674/2011-12, for the period from 01-06-1989 to 31-03-2004
34	26.10.2011	Nil Encumbrance Certificate SA.No. 10847/2011-12, for the period from 01-04-2004 to 23-10-2011
35	01.04.2023	Encumbrance Certificate for the period from 01-04-2011 to 27-03-2023
36	27.01.2024	Encumbrance Certificate for the period from 01-04-2021 to 27-01-2024
37	25.01.2024	Encumbrance Certificate for the period from 01-04-2023 to 19-01-2024 reflecting as JDA dated 24-03-2023
38	16.09.2023	Khatha Certificate issued by Bruhat Bangalore Mahanagara Palike standing in the name of Smt. Kamala Raman
39	16.09.2023	Assessment Extract for the year 2023-24, issued by Bruhat Bangalore Mahanagara Palike standing in the name of Smt. Kamala Raman
40	19.08.2023	Receipt no. RE-ifms377-BC/000049 issued by Bruhat Bangalore Mahanagara Palike to Smt. Kamala Raman in respect of the Sy.No.92, for having paid improvement charges amounting to Rs. 36,18,200.00/- (Rupees Thirty Six Lakhs Eighteen Thousand Two Hundred Only) for the schedule property
41	19.08.2023	Special notice issued by Bruhat Bangalore Mahanagara Palike for tax assessment in the name of Smt. Kamala Raman
42	19.10.2024	Building Licence bearing LP.No. BBMP/Ad.Com/MDP/1295/2023-24 issued by Bruhat Bangalore Mahanagara Palike
43	22.02.2024	Plaint in OS No.348/2024 filed by Ramaiah and another against Narayanappa and others for partition of suit schedule property

**DESCRIPTION OF THE SCHEDULE PROPERTY:**

All that piece and parcel of the residential converted land bearing Sy.No.92, Old no. 11/P3, measuring **3 acres 23 guntas** (excluding 7 guntas of kharab) ie., 3



acres 30 guntas, New Municipal No.260/92, vide Conversion Order bearing No. ALN(KRPH-2)-SR61/2022-23, dated 10-11-2022 issued by Deputy Commissioner, Bangalore District, Bangalore, situated at Kyalasanahalli Village, Krishnarajapuram Hobli, Bangalore East Taluk, Bangalore Urban District and bounded as follows :-

East by : Road and Sy.No. 11, 90,

West by : Byratthi Boundary,

North by : Land in Sy.No. 72,

South by : Road,

**: TRACING OF THE SCHEDULE PROPERTY :**

Whereas, the schedule property ie., agricultural land bearing Sy.No.11 measuring 3 acres 30 guntas ie., 3 acres 23 guntas (excluding 7 guntas of kharab) situated at Kyalasanahalli Village, Krishnarajapuram Hobli, Bangalore East Taluk, Bangalore Urban District was originally belonging to one Smt. Munivenkatamma and as absolute owner, she sold the aforesaid land bearing sy.no.11 measuring 3 acres 30 guntas in favour of Sri. M. Puttanna, vide Sale Deed dated 08-11-1965 bearing document no.3808/1965-66, of book-1, volume no.559, at pages 156 to 159, registered in the office of the Sub-Registrar, Bangalore South Taluk.

Whereas, the said owner Sri. M Puttanna sold the aforesaid land bearing sy.no.11 measuring 3 acres 30 guntas in favour of Sri. Manimuniyappa, vide Sale Deed dated 29-09-1966 bearing document no. 3739/1966-67, of book-1, volume no. 607, at pages 240 to 242, registered in the office of the Sub-Registrar, Bangalore South Taluk. Inturn, the said owner Sri. Manimuniyappa



sold the aforesaid land bearing sy.no.11 measuring 3 acres 30 guntas in favour of Sri. Abdul Subhan Saheb, vide Sale Deed dated 30-09-1966 bearing document no. 3746/1966-67, of book-1, volume no. 607, at pages 245 to 248, registered in the office of the Sub-Registrar, Bangalore South Taluk. The khatha of aforesaid land is mutated in the name of owner Abdul Subhan Saheb in revenue records, as per the Mutation Register Extract bearing No. 02/1989-90 issued by Village Accountant on 08-02-1990.

Whereas, the absolute owner Sri. Abdul Subhan Saheb S/o Late Abdul Rahiman Saheb thereafter sold the said land bearing Sy.No.11, measuring 3 acres 30 guntas in favour of 1) Smt. Janaki Kumari and 2) Smt. J. Sobha Devi vide document no. 5579/1989-90, of book-1, volume no. 117, at pages 86 to 92, registered on 12-03-1990 in the office of the Sub-Registrar, Krishnarajapuram, Bangalore. It is pertinent to note that Smt. Fathima Begum W/o Abdul Subhan Saheb and children Abdul Rahaan, Abdul Bashir, Abdul Kareem, Nazeer Ahemd, Absul Wahab have affixed their signatures to the said deed as witnesses. Based on the said sale deed, the khatha of aforesaid land is mutated in the name of owners 1) Smt. Janaki Kumari and 2) Smt. J. Sobha Devi in revenue records, as per the Mutation Register Extract bearing No.11/1989-90 issued by Village Accountant on 12-06-1990.

Whereas, RTC's for the said land bearing Sy.No.11, measuring 3 acres 30 guntas are obtained for the period from 1982-83 to 1997-98, (manual), and 2011-12 to 2015-16, (computerized), both issued by Village Accountant, which discloses the name of owner/s during relevant period of time.

Being the absolute owners 1) Smt. Janaki Kumari and 2) Smt. J. Sobha Devi have sold the aforesaid land in portions as follows:



- a) Sale Deed dated 23-03-1993 executed by 1) Smt. Janaki Kumari and 2) Smt. J. Sobha Devi – rep. by her GPA holder Smt. Janakikumari, in favour of Sri. N. Rame Gowder, in respect of the land bearing sy.no.11 measuring 1 acre 35 guntas, vide document no. 9082/1992-93, of book-1, volume no. 669, at pages 114 to 117, registered on 05-06-1993 in the office of Sub-Registrar, Krishnarajapuram, Bangalore. Based on the sale deed, khatha is registered in the name of owner N Rame Gowder, as per the Mutation Register Extract bearing No. 31/1995-96, issued by Village Accountant, Bangalore South Taluk, Bangalore City District.
- b) Sale Deed dated 23-03-1993 executed by 1) Smt. Janaki Kumari and 2) Smt. J. Sobha Devi – rep. by her GPA holder Smt. Janakikumari, in favour of Sri. N. Rame Gowder in respect of the land bearing sy.no.11 measuring 1 acre 35 guntas, vide document no. 9083/1992-93, of book-1, volume no. 673, at pages 58 to 61, registered on 10-06-1993 in the office of the Sub-Registrar, Krishnarajapuram, Bangalore. Based on the sale deed, khatha is registered in the name of owner N Rame Gowder, as per the Mutation Register Extract bearing No. 30/1995-96, issued by Village Accountant, Bangalore South Taluk, Bangalore City District.

By virtue of said sale deeds, N Rame Gowder is the absolute owner of the aforesaid land bearing sy.no.11 measuring 3 acres 30 guntas (1 acre 35 guntas and 1 acre 35 guntas)

Whereas, the said Nandhi Rama Gowder expired on 19-07-1993 (as per the Death Certificate issued by Government of Tamil Nadu on 04-12-2009) leaving behind his wife Smt. Dhaliammal and 7 children namely Sri. R. Bojan, Sri. R. Lingaraj, Smt. Rajalakshmi, Smt. Savithri, Smt. Parvathi, Sri. Rajakannan and Smt. Kamala Raman, as his legal heirs to succeed to the said land (as per the



family tree) By Operation of law, the aforesaid legal heirs ie., wife and children of Late N Rama Gowder succeeded to the said land bearing sy.no.11 measuring 3 acres 30 guntas as absolute owners, thereby each of them possessing valid right, title and interest over the same.

Whereas, the aforesaid co-owners namely 1) Smt. Dhaliammal W/o Late N. Rama Gowder, along with 2) Sri. R. Bojan, 3) Sri. R. Lingaraj, 4) Smt. Rajalakshmi, 5) Smt. Savithri, 6) Smt. Parvathi and 7) Sri. Rajakannan – Nos.1, 3 to 7 are rep. by their GPA holder Sri. R Bojan have jointly released and relinquished their respective share, claim, right, title and interest over the said land in favour of Smt. Kamala Raman D/o Late N. Rama Gowder, vide Release Deed dated 15-02-2010 bearing document no. 2143/2010-11. By virtue of this release, Smt. Kamala Raman became the absolute owner of the schedule property ie., bearing sy.no.11 measuring 3 acres 30 guntas.

Whereas, the Mutation Register Extract bearing MR.No.H42/2011-12 issued by Village Accountant, Bangalore East Taluk, Krishnarajapuram reflects that the khatha of said land in respect of the Sy.No.11/p3is mutated in the name of the legal heirs of Late N Rama Gowder, based on Court Order no. RRTCR 551/2011-12, dated 04-06-2012.

Whereas, the said owner Smt. Kamala Raman has applied for conversion of the said land bearing sy.no.11, new sy.no.92 measuring 3 acres 30 guntas - schedule property referred above from agricultural to non-agricultural residential purposes and the same is accorded, as per the Official Memorandum bearing No. ALN (KRPN 2)SR61/2022-23 dated 10-11-2022 issued by the Deputy Commissioner, Bangalore, after payment of necessary conversion charges.



Whereas, the Tahsildar, Bangalore East Taluk, Krishnarajapuram has issued Karnataka Revision Settlement Akarband in respect of the Sy.No. 11 on 28-04-2016 and Tippani, Akarbandh in Sy.No. 92, Map for Re-Survey number, phodi sketch (sy.no.11 is assigned new sy.no.92)

Whereas, te Mutation Register Extract bearing MR.No. T7/2022-23 issued by Village Accountant reflects the aforesaid on Official Memorandum dated 10-11-2022 in the name of Smt. Kamal Raman.

Whereas, RTC's Extract in respect of the sy.no. 11/P3, measuring 3 acres 30 guntas for the year from 2014-15 to 2017-18, Sy.No.11 measuring 32 acres 29 guntas for the year from 2018-19 to 2021-22 and Sy.No.92 measuring 3 acres 23 guntas for the year from 2022-23 to 2024-25 are obtained, which reflects the name of owner/s during relevant period of time.

Whereas, the said owner Smt. Kamala Raman with an intention to develop the schedule property has entered into a JDA dated 24-03-2023 with the developer **M/s. NCC URBAN INFRASTRUCTURE LIMITED.**, rep. – by its Director Mr. J. S. R. Raju, to construct multistoried residential apartment building, vide document no. SHV-1-10263/2022-23, of book-1, stored in CD.No. SHVD1354, registered in the office of the Senior Sub-Registrar, Shivajinagar, Bangalore.

As per the said JDA, the owner is entitled for 32.5% of the total saleable /constructed area in the project and the developer is entitled to 67.5% of the total saleable/constructed area in the project.

Whereas, the said owner Smt. Kamala Raman has appointed and nominated the developer **M/s. NCC URBAN INFRASTRUCTURE LIMITED.**, rep. by its Director Mr. J. S. R. Raju, to deal with their respective share in the project and



for such other acts, deeds and things contained therein, vide GPA dated 24-03-2023 bearing document no. SHV-4-00797/2022-23, of book-4, stored in CD.No. SHVD1354, registered in the office of the Senior Sub-Registrar, Shivajinagar, Bangalore.

Whereas, the schedule property falls within BBMP limits and it has registered the khatha in the name of owner Smt. Kamala Raman in its records, as per the Khatha Certificate and Assessment Extract for the year 2023-24 both dated 16-09-2023.

Whereas, the said BBMP has collected improvement charges amounting to Rs. 36,18,200/- (Rupees Thirty-Six Lakhs Eighteen Thousand Two Hundred Only) for the schedule property from the owner Smt. Kamala Raman, as per the Receipt no. RE-ifms377-BC/000049 dated 19-08-2023.

Whereas, the BBMP has assessed the schedule property belonging to the owner Smt. Kamala Raman for tax for the years 2022-23 and 2023-24 and assigned new municipal no.260/92 as per the Special Notice dated 19-08-2023.

Whereas, the said owner Smt. Kamala Raman – rep. by her GPA holder M/s NCC Urban Infrastructure Limited has applied and obtained Building Licence bearing LP.No.BBMP/Ad.Com/MDP/1295/2023-24 dated 19-10-2024 from the BBMP for the proposed construction of residential building comprising of **4 Blocks** ie.,

- a) Block 1 – comprising of 1 ground + 3 upper floors = 19 tenements
- b) Block 2- comprising of 1 ground + 3 upper floors = 14 tenements



c) Block 3- comprising of 1 ground + 3 upper floors = 17 tenements

d) Block 4 (club house) - comprising of 1 ground + 2 upper floors

By virtue of the said documents, Smt. Kamala Raman is the absolute owner and M/s. NCC Urban Infrastructure Limited is the developer in respect of the schedule property, thereby possessing valid marketable right, title and interest over the same.

**Pending Litigations :**

- 1) Whereas, one Sri. Ramaiah and another has filed an original suit bearing OS No.348/2024 against Narayanappa and others **suit is still pending and as per JDA any claims and settlements by the land owners shall be out of their share and few units shall be set aside till the outcome of the dispute as per indemnity issued by the land owners.**
  
- 2) Whereas, one Sri. Mohan K Reddy has filed a suit bearing Com. OS No.122/2024 at Bengaluru against Smt. Kamala Raman, Dr. Jogee Raman and NCC Urban Infrastructure Ltd., on 06-04-2024 in the Commercial Court at Bengaluru others **suit is still pending and as per JDA any claims and settlements by the land owners shall be out of their share and few units shall be set aside till the outcome of the dispute as per indemnity issued by the land owners.**

  
**(Rohit Desai)**  
ADVOCATE