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SGR BUILDTECH LLP.,
No:142-143, First Floor,
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Basavanagudi, BANGALORE – 560 004

Date : 05-02-2020

Sub : Legal opinion in respect of property No:96/97/46/2, situated at Yelenahalli, Bangalore, corporation ward No:192, for purpose of securing RERA Registration, under the provisions of the Real Estate (Regulation and Development) Act 2016 and under the Karnataka Real Estate (Regulation & Development) Rules, by the Real Estate Regulatory Authority Karnataka;

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[A] Title in respect of land measuring 2 Acre 3 Guntas in Sy.No:46/2, situated at Yelenahalli Village, Begur Hobli, Bangalore South Taluk (Common documents), before inclusion of the property within the limits of Bruhat Bangalore Mahanagara Palike, Bangalore;

i. Attested copy of Village Map of Yelenahalli Village, Begur Hobli, Bangalore South Taluk;

ii. Certified copies of Pakka / Hissa Tippani Sketch issued by Thasildar, Bangalore South Taluk, Bangalore;

iii. Certified copy of Settlement Akarbandh (Uttaru) issued by Thasildar, Bangalore South Taluk, Bangalore;

iv. Certified copy of Sale Deed dt:27-05-1948 executed by Sri.Nanjundappa Setty in favour of Sri.G K Basappa and registered as Document No:6006/1947-48, Book I, Volume 994, Pages 190 to 192 and registered in the office of the Sub Registrar, Bangalore Taluk;

v. Sale Deed dt:12-03-1956 executed by Sri.G K Basappa in favour of Sri.Nanjundappa Setty and registered as Document No:7048/1955-56, Book I, Pages 244 and 245 and registered in the office of the Sub Registrar, Bangalore Taluk;

vi. Sale Deed dt:09-08-1965 executed by Sri.Nanjundappa Setty in favour of Smt.C G Nagarathnamma and registered as Document No:2225/1965-66, Book I, Volume 536, Pages 203 to 205 and registered in the office of the Sub Registrar, Bangalore South Taluk;

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vii. Sale Deed dt:20-04-1970 executed by Smt.C G Nagarathnamma in favour of Sri.Venkataramanappa and Sri.Munnananjappa and registered as Document No:317/1970-71, Book I, Volume 329, Pages 173 and 174 and registered in the office of the Sub Registrar, Bangalore South Taluk, Bangalore;

viii. Certified copy of Mutation Extract vide MR No:2/1969-70, issued by Village Accountant, Bangalore South Taluk, Bangalore;

ix. Certified copy of Index of Land Records issued by Thasildar, Bangalore South Taluk, Bangalore;

x. Copy of family tree of Sri.Nanjundappa;

xi. Sale Deed dt:21-06-1991 executed by Sri.Venkataramanappa and others in favour of Sri.K V Prasanna Kumar and registered as Document No:1162/1991-92, Book I, Volume 3383, Pages 5 to 13 and registered in the office of the Sub Registrar, Bangalore South Taluk;

xii. Certified copy of Mutation Extract vide MR No:5/1991-92, issued by Village Accountant, Bangalore South Taluk, Bangalore;

xiii. Sale Deed dt:01-02-1992 executed by Sri.Venkataramanappa and others in favour of Sri.K V Prasanna Kumar and registered as Document No:4954/1991-92, Book I, Volume 3513, Pages 23 to 32 and registered in the office of the Sub Registrar, Bangalore South Taluk;

xiv. Certified copy of Mutation Extract vide MR No:5/1993-94, issued by Village Accountant, Bangalore South Taluk, Bangalore;

xv. Certified copy of Mutation Extract vide MR No:24/2005-06, issued by Village Accountant, Bangalore South Taluk, Bangalore;

I have perused the above documents. It is gathered from the records that Yelenahalli Village is part of Begur Hobli of Bangalore Taluk and land in Sy.No:46 is one of the land situated in Yelenahalli Village. It is further gathered from the records that the extent of land in Sy.No:46 was originally 4 Acres 25 Guntas and 14 Guntas of kharab land and the same is reflected in the land records in respect of Sy.No:46 and thereafter the land in Sy.No:46 has been bifurcated as Sy.No:46/1 and 46/2;

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Certified copy of Settlement Akarbandh (Uttaru) issued by Thasildar, Bangalore South Taluk, Bangalore is produced and the extent of land in Sy.No:46/2 is shown as 2 Acres 3 Guntas and 6 Guntas of kharab land;

Sri.G K Basappa purchased land measuring 4 Acres 25 Guntas in Sy.No:46, situated at Yelenahalli Village Begur Hobli, Bangalore South Taluk from Sri.Nanjundappa Setty under the registered Sale Deed dt:27-05-1948. The land belonging to Sri.G K Basappa has been phoded as Sy.No:46/2 by the concerned Authorities;

Sri.G K Basappa sold eastern portion of land measuring 2 Acres 9 Guntas in Sy.No:46/2, situated at Yelenahalli Village, Begur Hobli, Bangalore South Taluk and bounded on the East By : Land belonging to Sri.Hulavalli Chinnappa, West By : Road, North By : Land belonging to Sri.Doddaramaiah and South By : Land belonging to Sri.Anekal Nanjundappa, under the registered Sale Deed dt:12-03-1956 in favour of Sri.Nanjundappa Setty and he got his name mutated as owner and kathedar in respect of above land and his name is also entered in the Pahani Patrike (RTC) maintained by the Village Authorities. But, in the Pahani Patrike the extent of land in shown as 2 Acres 3 Guntas in Sy.No:46/2;

Sri.Nanjundappa Setty and his children namely Sri.Venkataramanappa and Sri.Munnanjappa have jointly sold land measuring 2 Acres 3 Guntas in Sy.No:46/2, situated at Yelenahalli Village, Begur Hobli, Bangalore South Taluk in favour of Smt.C G Nagarathnamma, under the registered Sale Deed dt:09-08-1965 and she got her name mutated as owner and kathedar in respect of above land vide RR No:556 and her name is also entered in the Pahani Patrke (RTC) maintained by the Village Authorities;

Smt.C G Nagarathnamma re-conveyed the above said land measuring 2 Acres 3 Guntas in Sy.No:46/2, situated at Yelenahalli Village, Begur Hobli, Bangalore South Taluk in favour of Sri.Venkataramanappa and Sri.Munnanjappa, under the registered Sale Deed dt:20-04-1970;

Sri.Venkataramanappa and Sri.Munnanjappa got their names mutated as owners and kathedars in respect of land covered under registered Sale Deed dt:20-04-1970 vide Mutation Extract in MR No:2/1969-70, issued by Village Accountant, Bangalore South Taluk, Bangalore;

Family Tree of Sri.Nanjundappa is produced and Sri.Venkataramanappa and Sri.Munnajappa are the children of Sri.Nanjundappa and Sri.Namadeva and Sri.Krishna Moorthy are the children of Sri.Venkataramanappa and Sri.Ramachandra, Sri.Krishnappa and Sri.Munnraja are the children of Sri.Munnanjappa;

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Sri.Venkataramanappa and his children namely Sri.Namadeva and Sri.Krishna Moorthy and Sri.Munnajappa and his children namely Sri.Ramachandra, Sri.Krishnappa and Sri.Munnraja have jointly sold entire land 2 Acres 3 Guntas in Sy.No:46/2, situated at Yelenahalli Village, Begur Hobli, Bangalore South Taluk in favour of Sri.K V Prasanna Kumar, as hereunder;

a) Land measuring 1 Acre (from and out of 2 Acres 3 Guntas) in Sy.No:46/2, situated at Yelenahalli Village, Begur Hobli, Bangalore South Taluk in favour of Sri.K V Prasanna Kumar, under Sale Deed dt:21-06-1991;

b) Land measuring 1 Acre 3 Guntas (from and out of 2 Acres 3 Guntas) in Sy.No:46/2, situated at Yelenahalli Village, Begur Hobli, Bangalore South Taluk in favour of Sri.K V Prasanna Kumar, under Sale Deed dt:01-02-1992;

Sri.K V Prasanna Kumar got his name mutated as owner and kathedar in respect of land covered under registered Sale Deed dt:21-06-1991 vide Mutation Extract in MR No:5/1993-94, issued by Village Accountant, Bangalore South Taluk, Bangalore;

Sri.K V Prasanna Kumar got his name mutated as owner and kathedar in respect of land covered under registered Sale Deed dt:01-02-1992 and the said fact is reflected in the Mutation Extract in MR No:24/2005-06, issued by Village Accountant, Bangalore South Taluk, Bangalore;

Certified copies of Pahani Patrike (RTC) for the years 1968-69 to 2018-19, issued by Village Accountant, Bangalore South Taluk, Bangalore are produced and the name of the earlier owner Sri.Nanjundappa is shown as cultivator up to the year 1990-91 and thereafter the subsequent transferee/s are shown as owner/s and cultivators;

[B] Title in respect of converted land measuring 1 Acre in Sy.No:46/2, situated at Yelenahalli Village, Begur Hobli, Bangalore South Taluk, belonging to Sri.R Venkatakrishna, Smt.Indira A Rao, Smt.Shubha A Harithasa, Smt.Smitha V Harithasa and Ms.Aditi V Harithasa;

i. Sale Deed dated 31-03-1993 executed by Sri.K V Prasanna Kumar in favour of Sri.G S Ramachandra Rao and registered as Document No:7589/1992-93, Book I, Volume 3706, Pages 174 to 179 and registered in the office of the Sub Registrar, Bangalore South Taluk;

ii. Family Tree of late G S Ramachandra Rao, issued by Revenue Inspector, Jayanagar Circle, Bangalore South Taluk;

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iii. Certified copy of Mutation Extract in MR No:19/2005-06, issued by Revenue Inspector, Begur Hobli, Bangalore South Taluk;

iv. Death Certificate dated 27-11-2008 of Sri.G S Ramachandra Rao, who died on 06-11-2008, issued by Medical Officer, Bruhat Bangalore Mahanagara Palike;

v. Release Deed dt:20-02-2009 executed by Smt.R Jayamma and others in favour of Sri.R Venkatakrishna and registered as Document No:284/2009-10, Book I and stored in CD No:BGRD-22 and registered in the office of the Senior Sub Registrar, Begur;

vi. Certified copy of Mutation Extract in MR No:14/2009-10, issued by Revenue Inspector, Begur Hobli, Bangalore South Taluk;

vii. Certified copy of Mutation Extract in MR No:H30/2011-12, issued by Revenue Inspector, Begur Hobli, Bangalore South Taluk;

viii. Endorsement dt:18-03-2013 vide No:LRF/CR/359/12-13, issued by Thasildar, Grade-2, Bangalore South Sub Division, Bangalore;

ix. Demand Note dt:10-06-2013 vide No:ALN(SB)SR-84/2012-13, issued by Deputy Commissioner, Bangalore District,

x. Remittance Challan dt:13-06-2013 for having remitted conversion fees and phodi charges;

xi. Official Memorandum dt:13-06-2013 vide No:ALN(SB)SR-84/2012-13, Deputy Commissioner, Bangalore District,

xii. Certified copy of Mutation Extract vide MR No:T1/2013-14 issued by Revenue Inspector of Begur Hobli, Bangalore South Taluk

xiii. Confirmation Deed dated 19-11-2014 executed by Sri.Namadeva and others, in favour of Sri.R Venkatakrishna, registered as document No:6729/2014-15, Book I, stored in CD No:JAYD212 and registered in the office of the Sub Registrar, Jayanagar, Bangalore;

xiv. General Power of Attorney dated 02-04-2015 executed by Smt.Shubha V Harithasa, in favour of Smt.Indira A Rao, duly sworn before Julie L Sroga, Notary Public, Minesota, United States of America, duly adjudicated on 15-04-2015 before the Proper Officer, District Registrar, Jayanagar, Bangalore vide No:100/2015-16;

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xv. General Power of Attorney dated 16-09-2015 executed by Smt.Smitha Rai and Ms.Aditi V Harithasa, in favour of Smt.Indira A Rao, registered as document No:660/2015-16, Book IV, stored in CD No:JAYD235 and registered in the office of the Senior Sub Registrar, Jayanagar, Bangalore;

xvi. Receipt dated 09-09-2015 issued by Bruhat Bangalore Mahanagara Palike for a sum of Rs.10,12,835/- towards Improvement charges;

xvii. Katha registration certificate dated 09-09-2015 vide No:DAW192/KTR401/2015-16, MR 109/2015-16, issued by the Asst. Revenue Officer, Bruhat Bangalore Mahangara Palike, in favour of Sri.R Venkatakrishna;

xviii. Katha certificate dated 09-09-2015 vide No:DAW192/KTR/401/2015-16, DAW192/PR/641/20115-16, issued by Asst. Revenue Officer, Bruhat Bangalore Mahanagara Palike and issued in favour of Sri.R Venkatakrishna;

xix. Assessment extract dated 09-09-2015 for the Assessment year 2015-16, issued by Asst. Revenue Officer, Bruhat Bangalore Mahanagara Palike and issued in favour of Sri.R Venkatakrishna;

xx. Gift Deed dated 16-09-2015 executed by Sri.R Venkatakrishna, in favour of Smt.Indira A Rao and three others, registered as document No:4929/2015-16, Book I, stored in CD No:JAYD235 and registered in the office of the Senior Sub Registrar, Jayanagar, Bangalore;

xxi. Certified copy of sketch in respect of land in Sy.No:46/2, issued by Taluk Surveyor, Bangalore South Taluk, Bangalore;

xxii. Tax paid receipts for the assessment years 2008-09 to 2016-17, issued by Bruhat Bangalore Mahanagara Palike, Bangalore;

xxiii. Encumbrance Certificates from

a. 15-02-1957 to 31-03-2004;
b. 01-04-2004 to 21-03-2013;
c. 01-01-2013 to 14-06-2019;

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From the above documents, it is forthcoming that, Sri.K V Prasanna Kumar sold northern portion of land measuring 1 Acre (from and out of 2 Acres 3 Guntas) in Sy.No:46/2, situated at Yellenahalli Village, Begur Hobli, Bangalore South Taluk and bounded on the East By : Property belonging to Sri.Chinnappa, West By : Government Road, North By : property belonging to Sri.Doddramaiah and South By : Portion of land in Sy.No:46/2 belonging to Sri.K V Prasanna Kumar and thereafter Property belonging to Sri.Nagappa, under the registered Sale Deed dt:31-03-1993 in favour of Sri.G S Ramachandra Rao and the above land was mutated to the name of Sri.G S Ramachandra Rao vide MR No:19/2005-06;

It is gathered from the records that Sri.G S Ramachandra Rao died intestate on 06-11-2008, leaving behind his wife Smt.R Jayamma and his children namely Smt.R Rama, Smt.R Uma, Smt.R Sudha, Smt.R Savitri and Sri.R Venkatakrishna as the sole surviving legal heirs who are entitled to succeed to the estate of deceased G S Ramachandra Rao. The family tree of late G S Ramachandra Rao issued by Revenue Inspector, Jayanagar Circle, Bangalore South Taluk is produced and Smt.Kaveramma being mother of G S Ramachandra Rao, predeceased him;

Smt.R Jayamma, Smt.R Rama, Smt.R Uma, Smt.R Sudha, Smt.R Savitri have executed a registered Release Deed dt:20-02-2009 in favour of Sri.R Venkatakrishna, releasing and relinquishing their undivided share and interest in the land measuring 1 Acre in Sy.No:46/2, situated at Yellenahalli Village, Begur Hobli, Bangalore South Taluk and thereby Sri.R Venkatakrishna has become full and absolute owner of the above landed property;

Sri.R Venkatakrishna got his name mutated as owner and kathedar in respect of above land measuring 1 Acre in Sy.No:46/2, situated at Yellenahalli Village, Begur Hobli, Bangalore South Taluk vide Mutation Extract in MR No:14/2009-10, issued by Revenue Inspector, Begur Hobli, Bangalore South Taluk and his name is also shown as kathedar in respect of above land in the Mutation Extract in MR No:H30/2011-12, issued by Revenue Inspector, Begur Hobli, Bangalore South Taluk;

The Tahsildar of Grade-2, Bangalore South Sub Division, Bangalore has issued an Endorsement dt:18-03-2013 confirming that the transactions in respect of land measuring 1 Acre in Sy.No:46/2, situated at Yellenahalli Village, Begur Hobli, Bangalore South Taluk is not violated under the provisions of 79(a) and 79(b) of Land Reforms Act.;

Sri.R Venkatakrishna approached Deputy Commissioner, Bangalore District, seeking permission for conversion of land measuring 1 Acre in Sy.No:46/2, situated at Yellenahalli Village, Begur Hobli, Bangalore South Taluk from agricultural to non agricultural residential purposes and the said Authority after following required procedures issued Demand Note dt:10-05-2013 vide No:ALN(SB)SR-84/2012-13, demanding to pay a sum of Rs.54,450/-

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towards conversion fees and a sum of Rs.1,150/- towards penalty and a sum of Rs.55/- towards phodi charges and accordingly Sri.R Venkatakrishna remitted the above said sum/s on 13-06-2013 to Government of Karnataka through State Bank of Mysore and thereafter the Deputy Commissioner of Bangalore District, Bangalore has issued Official Memorandum dt:13-06-2013 vide No:ALN(SB)SR-84/2012-13, confirming the change of land usage from agricultural to non agricultural residential purposes in respect of above land measuring 1 Acre in Sy.No:46/2, situated at Yellenahalli Village, Begur Hobli, Bangalore South Taluk;

After the conversion of land measuring 1 Acre in Sy.No:46/2, situated at Yellenahalli Village, Begur Hobli, Bangalore South Taluk from agricultural to non agricultural residential purposes, the Revenue Inspector of Begur Hobli, Bangalore South Taluk has issued Mutation Extract vide MR No:T-1/2013-14 in the name of Sri.R Venkatakrishna;

Sri.Namadeva and Sri.Krishna Moorthy, they being the sons and legal heirs of Sri.Venkataramanappa, had continued to be in possession of the north western portion of the above land and in the said circumstances, Sri.Namadeva and Sri.Krishna Moorthy, at the request of Sri.R Venkatakrishna and in order to avoid any possible litigations, upon receipt of a compensation, vacated the said portion and they have also, along with their family members, executed a Confirmation Deed dated 19-11-2014 in favour of Sri.R Venkatakrishna, to confirm the recitals of the earlier sale deed dated 21-06-1991 and further confirming that Sri.R Venkatakrishna is the full and absolute owner of the above land;

Smt.Shubha V Harithasa, daughter of Sri.R Venkatakrishna, has executed a General Power of Attorney dated 02-04-2015, appointing and nominating her mother Smt.Indira A Rao, as her Power of Attorney holder, authorizing her to manage and also represent Smt.Shubha V Harithasa, in respect of her share in the above land;

Smt.Smitha Rai alias Smitha V Harithasa and Ms.Aditi V Harithasa, they being the daughters of Sri.R Venkatakrishna, have also executed a General Power of Attorney dated 18-09-2015, appointing and nominating their mother Smt.Indira A Rao, as their Power of Attorney holder, authorizing her to manage and also represent them, in respect of her share in the above land;

Sri.R Venkatakrishna has paid the improvement charges of Rs.10,12,210/- to the Bruhat Bangalore Mahanagara Palike vide receipt dated 09-09-2015 and upon receipt of the improvement charges, the Asst. Revenue Officer, has issued Katha Registration Certificate, Katha Certificate and Assessment Extract dated 09-09-2015, in favour of Sri.R Venkatakrishna, confirming that the katha of the above property stands in the name of Sri.R Venkatakrishna;

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Sri.R Venkatakrishna has conveyed an undivided share of 20,000 sq.ft., in the above land in favour of his wife Smt.Indira A Rao and his three daughters Smt.Shubha V Harithasa, Smt.Smitha V Harithasa and Ms.Aditi V Harithasa, jointly, under the Gift Deed dated 16-09-2015 and Sri.R Venkatakrishna has retained an undivided share of 23,560sq.ft., in the above land;

Tax paid receipts for the assessment years 2008-09 to 2016-17 are produced for scrutiny;

Encumbrance Certificate covering period from 15-02-1957 to 14-06-2019. The transactions referred to in this opinion for the relevant period are reflected;

In the said manner, Sri.R Venkatakrishna, Smt.Indira A Rao, Smt.Shubha V Harithasa, Smt.Smitha V Harithasa and Ms.Aditi V Harithasa, have become the absolute co-owners, of the "A" Schedule property;

"A" SCHEDULE

All that piece and parcel of residentially converted land measuring 1 Acre in Sy.No:46/2, situated at Yellenahalli Village, Begur Hobli, Bangalore South Taluk (land converted for non agricultural residential purposes vide Official Memorandum dt:13-06-2013 bearing No:ALN(SB)SR-84/2012-13, issued by Deputy Commissioner, Bangalore District, Bangalore) and bounded on the :

East By : Land in Re-Sy.No:45;

West By : Road leading from Hanumanahalli to Begur;

North By : Land in Re-Sy.Nos:59, 60 and 61;

South By : Remaining land in Re-Sy.No:46/2, belonging to Sri.Dinesh Todarwal and Smt.Sumitha Todarwal;

[C] Title in respect of converted land measuring 1 Acre 3 Guntas and 6 Guntas of kharab land in Sy.No:46/2, situated at Yelenahalli Village, Begur Hobli, Bangalore South Taluk, belonging to Sri.Dinesh Todarwal and Smt.Sumitha Todarwal;

i. Certified copy of Mutation Extract vide MR No:24/2005-06, issued by Village Accountant, Bangalore South Taluk, Bangalore;

ii. Endorsement vide No:BDA/TPM/CLU/259/07/3701/2007-08, issued by Member, Town Planning, Bangalore Development Authority, Bangalore;

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iii. Demand Note dt:23-07-2008 vide No:ALN(SB)SR-17/2008-09, issued by Deputy Commissioner, Bangalore District, demanding to pay a sum of Rs.58,589/-;

iv. Remittance Challan/s dt:25-07-2008 for having remitted conversion fees and phodi charges;

v. Official Memorandum dt:11-11-2008 vide No:ALN(SB)SR-17/2008-09, Deputy Commissioner, Bangalore District;

vi. Official Memorandum dt:12-11-2008 vide No:ALN(SB)SR-17/2008-09, Deputy Commissioner, Bangalore District,

vii. Sale Deed dt:04-06-2010 executed by Sri.K V Prasanna Kumar and others in favour of Sri.Dinesh Todarwal and Smt.Sumitha Todarwal and registered as Document No:1089/2010-11, Book I and stored in CD No:BGRD-40 and registered in the office of the Senior Sub Registrar, Begur, Bangalore District;

viii. Revised Official Memorandum dt:23-02-2016 vide No:ALN(SB)SR-17/2008-09, Deputy Commissioner, Bangalore District,

ix. Receipt dated 07-09-2015 issued by Bruhat Bangalore Mahanagara Palike for a sum of Rs.10,88,120/- towards Improvement charges;

x. Katha registration certificate dated 07-09-2015 vide No:DAW192/KTR397/2015-16, MR 105/2015-16, issued by the Asst. Revenue Officer, Bruhat Bangalore Mahangara Palike, in favour of Sri.R Venkatakrishna;

xi. Katha certificate dated 07-09-2015 vide No:DAW192/KTR/397/2015-16, issued by Asst. Revenue Officer, Bruhat Bangalore Mahanagara Palike and issued in favour of Sri.R Venkatakrishna;

xii. Assessment extract dated 07-09-2015 for the Assessment year 2015-16, issued by Asst. Revenue Officer, Bruhat Bangalore Mahanagara Palike and issued in favour of Sri.R Venkatakrishna;

xiii. Tax paid receipts for the assessment years 2008-09 to 2016-17;

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xiv. Encumbrance Certificates from

a) 01-04-1991 to 31-03-1993;
b) 24-02-1992 to 31-03-2004;
c) 01-04-2004 to 25-06-2014;
d) 01-04-2014 to 14-06-2019;

It is further gathered that, Sri.K V Prasanna Kumar got his name mutated as owner and kathedar in respect of land covered under registered Sale Deed dt:01-02-1992 and the said fact is reflected in the Mutation Extract in MR No:24/2005-06, issued by Village Accountant, Bangalore South Taluk, Bangalore. In the said Mutation Extract, one Sri.Namadeva, Son of Sri.Venkataramanappa has objected in writing for transfer of katha in favour of Sri.K V Prasanna Kumar, as Sri.Namadeva being the party to the sale deed dated 01-02-1992, the objection was not considered and ordered to effect the mutation in favour of Sri.K V Prasanna Kumar in respect of land measuring 1 Acre 3 Guntas in Sy.No:46/2;

The Member of Town Planning, Bangalore Development Authority, Bangalore has issued an Endorsement dated (not legible) confirming that the land measuring 1 Acre 3 Guntas in Sy.No:46/2, situated at Yelenahalli Village, Begur Hobli, Bangalore South Taluk is identified as mainly residential zone as per RMP-2015;

Sri.K V Prasanna Kumar approached Deputy Commissioner, Bangalore District, seeking permission for conversion of land measuring 1 Acre 3 Guntas in Sy.No:46/2, situated at Yellenahalli Village, Begur Hobli, Bangalore South Taluk from agricultural to non agricultural residential purposes and the said Authority after following required procedures issued Demand Note dt:23-07-2008 demanding to pay a sum of Rs.58,534/- towards conversion fees and a sum of Rs.55/- towards phodi charges and accordingly Sri.K V Prasanna Kumar remitted the above said sum/s on 25-07-2008 to Government of Karnataka through State Bank of Mysore and thereafter the Deputy Commissioner of Bangalore District, Bangalore has issued Official Memorandum dt:11-11-2008 and duly confirmed again on 12-11-2008, confirming the change of land usage from agricultural to non agricultural residential purposes in respect of above land measuring 1 Acre 3 Guntas in Sy.No:46/2, situated at Yellenahalli Village, Begur Hobli, Bangalore South Taluk. In the schedule to the above said Official Memorandum the northern boundary is shown as Land belonging to Sri.Doddaramaiah, but it should have been Land in Sy.No:46/2. Hence, the same has been rectified by the concerned Authorities in revised Official Memorandum dated 23-02-2016;

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Sri.K V Prasanna Kumar along with his wife Smt.Venkatarathnamma and his children namely Sri.P Vinay Kumar and Master Sri.P Santosh Kumar (being minor rep. by father and natural guardian Sri.K V Prasanna Kumar), sold residentially converted land measuring 1 Acre 3 Guntas in Sy.No:46/2, situated at Yellenahalli Village, Begur Hobli, Bangalore South Taluk and bounded on the East By : Property belonging to Sri.Chinnappa, West By : Government Road, North By : Portion of land in Sy.No:46/2 and thereafter property belonging to Sri.Doddramaiah and South By : Property belonging to Sri.Nagappa, under the registered Sale Deed dt:04-06-2010 in favour of Sri.Dinesh Todarwal and Smt.Sumitha Todarwal;

Tax paid receipts for the assessment years from 2008-09 to 2016-17 in respect of "B" Schedule Property is produced for scrutiny;

Encumbrance Certificates are produced covering period from 01-04-1991 to 14-06-2019. The registered transactions referred to in this opinion for the relevant period are reflected;

In the above manner, Sri.Dinesh Todarwal and Smt.Sumitha Todarwal have become the absolute co-owners of the "B" Schedule Property;

"B" SCHEDULE

All that piece and parcel of residentially converted land measuring 1 Acre 3 Guntas and 6 Guntas of Kharab land in Sy.No:46/2, situated at Yellenahalli Village, Begur Hobli, Bangalore South Taluk (land converted for non agricultural residential purposes vide Official Memorandum dt:12-11-2008 vide No:ALN(SB)SR-17/2008-09, Deputy Commissioner, Bangalore District) and bounded on the

East	By	:	Property belonging to Sri.Chinnappa;
West	By	:	Government Road;
North	By	:	Portion of land in Sy.No:46/2 and thereafter property belonging to Sri.Doddramaiah;
South	By	:	Property belonging to Sri.Nagappa;

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[D] In respect of consolidated land bearing property No:96/97/46/2, situated at Yelenahalli, Bangalore, corporation ward No:192;

i. Endorsement dt:16-03-2013 vide No:LRF/CR/1677/2012-13, issued by Special Thasildar, Bangalore South Taluk, Bangalore;

ii. Endorsement dt:10-05-2006 issued by Special Thasildar, Bangalore South Taluk, Bangalore;

iii. Certified copies of Pahani Patrike (RTC) for the years 1968-69 to 1972-73, 1983-84 to 2018-19, issued by Village Accountant, Bangalore South Taluk, Bangalore;

iv. Amalgamation Deed dated 26-11-2015 entered into amongst Sri.R Venkatakrishna and 6 others, registered as document No:7105/2015-16, Book I, stored in CD No:JAYD239 and registered in the office of the Sub Registrar, Jayanagar, Bangalore;

v. Receipt dated 09-12-2015 issued by Bruhat Bangalore Mahanagara Palike for katha transfer fees;

vi. Special Notice dated 09-12-2015 vide No:DAW192/KTR/610/2015-16, MR/153/2015-16, issued by Asst. Revenue Officer, Bruhat Bangalore Mahanagara Palike and issued in favour of Sri.R Venkatakrishna & six others;

vii. Katha certificate dated 09-12-2015 vide No:DAW192/KTR/610/2015-16, MR/153/2015-16, issued by Asst. Revenue Officer, Bruhat Bangalore Mahanagara Palike and issued in favour of Sri.R Venkatakrishna & six others;

viii. Assessment extract dated 09-12-2015, issued by Asst. Revenue Officer, Bruhat Bangalore Mahanagara Palike and issued in favour of Sri.R Venkatakrishna & six others;

ix. Joint Development Agreement dated 04-04-2016 entered into between Sri.R Venkatakrishna & others as owners and SGR Buildtech Private. Ltd., registered as document No:95/2016-17, Book I, stored in CD No:JAYD249, registered in the office of the Senior Sub Registrar, Jayanagar, Bangalore;

x. General Power of Attorney dated 04-04-2016 executed by Sri.R Venkatakrishna & others in favour of SGR Buildtech Private. Ltd., registered as document No:12/2016-17, Book IV, stored in CD No:JAYD249, registered in the office of the Senior Sub Registrar, Jayanagar, Bangalore;

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xi. No objection certificate dated 14-07-2016 vide No:AAI/KIA/ATM/NOC/7778-81, issued by Airports Authority of India;

xii. Supplementary Deed dated 20-07-2017 entered into between Sri.R Venkatakrishna and 7 others;

xiii. No Objection certificate dated 17-07-2018 issued by Bharat Sanchar Nigam Limited;

xiv. No objection certificate dated 19-09-2018 No:SEIAA109 CON 2018, issued by State Level Environment Impact Assessment Authority – Karnataka;

xv. No objection certificate dated 26-09-2018 vide No:KSFES/GBC(1)406, issued by Karnataka State Fire & Emergency Services;

xvi. No objection certificate dated 11-10-2018 vide No:BWSSB/EIC/CE(M)/ACE(M)-IV/DCE(M)-H/TA(M)-III/3996/2018-19, issued by Bangalore Water Supply & Sewerage Board;

xvii. Sanctioned Plan and license dated 18-07-2019 vide LP No:13/2018-19, issued by Joint Director of Town Planning, Bruhat Bangalore Mahanagara Palike, Bangalore;

xviii. Relinquishment Deed dated 10-06-2019, executed by Sri.V Vekatakrishna and six others, in favour of Bruhat Bangalore Mahanagara Palike, registered as document No:2335/2019-20, Book I, stored in CD No:JAYD499 and registered in the office of the Senior Sub Registrar, Jayanagar, Bangalore;

xix. Katha certificate dated 03-08-2019 vide No:DA/PR/90/2018-19, issued by Asst. Revenue Officer, Bruhat Bangalore Mahanagara Palike and issued in favour of Sri.R Venkatakrishna & six others;

xx. Assessment extract dated NIL, for the assessment year 2019-20, issued by Asst. Revenue Officer, Bruhat Bangalore Mahanagara Palike and issued in favour of Sri.R Venkatakrishna & six others;

xxi. Endorsement / Special Notice dt:04-01-2020 vide No:DA(B)192/KTR/2019-20, DA(B)192/MR/121/2019-20, issued by the Asst. Revenue Officer, Bruhat Bangalore MahanagaraPalike, Bangalore.

xxii. Katha Certificate dated 04-01-2020 vide No: DA(B)192/MR/121/2019-20 issued by the Asst. Revenue Officer, Bruhat Bangalore MahanagaraPalike, Bangalore;

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xxiii. Assessment Extract for the period 2019-20, issued by the Asst. Revenue Officer, Bruhat Bangalore MahanagaraPalike, Bangalore.

xxiv. Deed of Allocation dated 08-01-2020 entered into between Sri.R Venkatakrishna, Smt.Indira A Rao, Smt.Shubha V Harithasa, Smt.Smitha V Harithasa, Ms.Aditi V Harithasa, Sri.Dinesh Todarwal and Smt.Sumitha Todarwal and M/s S.G.R Buildtech LLP;

xxv. Tax paid receipt for years 2017-18 to 2019-20;

xxvi. Encumbrance Certificates;
   a. 01-04-2014 to 07-05-2016;
   b. 01-04-2016 to 29-07-2019;

The Special Thasildar of Bangalore South Taluk, Bangalore has issued an Endorsement dt:16-03-2013 confirming that the endorsement sought by the applicant Sri.Raghavendra with regard to section 48(a) of Land Reforms Act.1961 in respect of land in Sy.No:46/2 cannot be issued as the records are submitted to the Hon'ble Court in WP No:12249-250/2003. The Special Thasildar of Bangalore South Sub Division, Bangalore has issued an Endorsement dt:10-05-2006 confirming that no persons have filed Form 7 and 7(a) under the provisions of Land Reforms Act.1961, seeking occupancy rights in respect of land in Sy.No:46/2;

It is gathered that the "A" & "B" schedule properties of this legal opinion are adjacent to each other and in the said circumstances, Sri.R Venkatakrishna, Smt.Indira A Rao, Smt.Shubha V Harithasa, Smt.Smitha V Harithasa and Ms.Aditi V Harithasa, along with Sri.Dinesh Todarwal and Smt.Sumitha Todarwal, have mutually decided to develop the "A" & "B" schedule portions to derive better income thereof and thereby, they have entered into an Amalgamation Deed dated 26-11-2015, amalgamating the above two portions, as one compact unit, hereinafter referred to as the "C" Schedule Property;

The co-owners, have jointly approached the revenue authority of Bruhat Bangalore Mahanagara Palike, Bangalore, for amalgamation of katha of the above portions and in furtherance thereof, after receipt of the katha transfer fees, the said Authority has recognised the above co-owners as joint kathedars of the above property on the basis of the above Amalgamation Deed dated 26-11-2015 and in confirmation thereof, the Asst. Revenue Officer, has issued a Special Notice dated 09-12-2015 and also issued a Katha certificate & Assessment Extract dated 09-12-2015, confirming that the katha of the above portions have been amalgamated and transferred to the joint names of Sri.R Venkatakrishna, Smt.Indira A Rao, Smt.Shubha V Harithasa, Smt.Smitha V Harithasa, Ms.Aditi V Harithasa, Sri.Dinesh Todarwal and Smt.Sumitha Todarwal, in its revenue records;

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Sri.R Venkatakrishna and others, being the co-owners of the above amalgamated property, with an intention to develop the above property and derive better returns out of the same, have approached S G R Buildtech Private. Ltd., a Company incorporated under the provisions of Indian Companies Act.1956, vide Incorporation Certificate No:U74140KA2004TTC34104 dated 10-06-2004, issued by Registrar of Companies, Karnataka at Bangalore and carrying on its business activities in real estate and development of immovable properties.

It is gathered that the Developer S G R Buildtech Private. Ltd. has been reconstituted as a LLP under the LLP Agreement dated 16-12-2016, registered as LLP No:AAH-9281 and the said Firm is reconstituted again on 09-08-2017;

Sri.R Venkatakrishna and other co-owners, have entrusted the "C" Schedule Property to S G R Buildtech Private. Ltd., for joint development and the terms of the joint development were reduced into writing in pursuance of the registered Joint Development Agreement dated 04-04-2016. Sri.R Venkatakrishna & others have also executed a General Power of Attorney dated 04-04-2016 in favour of the Developer S G R Buildtech Private. Ltd., authorizing the developer to carry out the development activities on the above amalgamated land;

In furtherance thereof, the Developer has secured the permissions and no objection from the following Authorities for the purpose of carrying out development activities;

i. No objection certificate dated 14-07-2016 issued by Airports Authority of India;

ii. No objection certificate dated 19-09-2018 issued by State Level Environment Impact Assessment Authority – Karnataka;

iii. No objection certificate dated 26-09-2018 issued by Karnataka State Fire & Emergency Services;

iv. No objection certificate dated 11-10-2018 issued by Bangalore Water Supply & Sewerage Board;

v. No Objection certificate dated 17-07-2018 issued by Bharat Sanchar Nigam Limited;

vi. No Objection certificate dated 30-10-2018 issued by Karnataka State Pollution Control Board;

vii. No Objection certificate dated 15-09-2018 issued by Bangalore Electricity Supply Company Limited;

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It is further gathered that, in view of the changed market conditions, the land owners and the developer have re-negotiated their share and entitlement and the re-negotiated terms of sharing have been documented by the Parties thereto by entering into a Supplementary Deed dated 20-07-2017. In view of the above Supplementary Deed, the entitlement of the Parties to the Joint Development Agreement dated 04-04-2016 stands as hereunder;

i) 15.6626% (fifteen point six six two six percent) of super built-up area jointly to the share of Sri.R Venkatakrishna, Smt.Indira A Rao, Smt.Shubha V Harithasa, Smt.Smitha V Harithasa and Ms.Aditi V Harithasa;

ii) 16.8374% (sixteen point eight three seven four percent) of super built-up area jointly to the share of Sri.Dinesh Todarwal and Smt.Sumitha Todarwal;

iii) 67.50% (sixty seven point five zero percent) of super built-up area to the share of S G R Buildtech Private. Ltd.;

The Developer, representing as the Power of Attorney Holder of the land owners, has approached the Engineering section of the Bruhat Bangalore Mahanagara Palike for obtaining a sanctioned plan to carry out the developmental activities and in pursuance thereof, the said Authority has issued a sanctioned plan and license dated 18-07-2019, for construction of residential apartment complex comprising of ground and fifteen upper floors, with a total of 156 residential apartment units, together with corresponding car parking slots for residents and adequate car parking slots for visitors, on the amalgamated property. The said plan is valid for a period of two years from date of sanction;

In furtherance thereof, the land owners Sri.R Venkatakrishna and others, represented by their General Power of Attorney Holder SGR Buildtech LLP, have executed a Relinquishment Deed dated 10-06-2019 in favour of the Bruhat Bangalore Mahanagara Palike, Bangalore, have relinquished their right and interest in land of an area of 504.64sq.mtrs. (5,432sq.ft.), located on the western side i.e. the frontage of the above property, for the purpose of road widening as per the Master Plan 2015 of the said Authority. In view of the above, the total area of the amalgamated property being 2 Acre 3 Guntas (i.e. 8396.57sq.mtrs.,) out of which an area of 504.64sq.mtrs. (5,432sq.ft.) has been relinquished and thereby, the total area of the amalgamated property of 7891.93sq.mtrs. (84,948.73sq.ft.) is remaining for development;

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The Asst. Revenue Officer, Bruhat Bangalore Mahanagara Palike, has issued a katha certificate and Assessment extract for the year 2019-20 dated 03-08-2019, confirming that the katha of the above amalgamated property bearing No:96/97/46/2, situated at Yelenahalli, Bangalore, stands in the joint names of Sri.R Venkatakrishna, Smt.Indira A Rao, Smt.Shubha V Harithasa, Smt.Smitha V Harithasa, Ms.Aditi V Harithasa, Sri.Dinesh Todarwal and Smt.Sumitha Todarwal, in its revenue records.

However, the sital area was still reflected as 90,387sq.ft. instead of 84,948.73sq.ft. and subsequently, the said error has been rectified in the revenue records as confirmed in the Endorsement / Special Notice dt:04-01-2020 vide No:DA(B)192/KTR/2019-20, DA(B)192/MR/121/2019-20, issued by the Asst. Revenue Officer, Bruhat Bangalore Mahanagara Palike, Bangalore. In furtherance thereof, the said Authority has also issued a Katha Certificate dated 04-01-2020 vide No: DA(B)192/MR/121/2019-20 and Assessment Extract for the period 2019-20, confirming that the katha of the amalgamated property stands in the joint names of Sri.R Venkatakrishna, Smt.Indira A Rao, Smt.Shubha V Harithasa, Smt.Smitha V Harithasa, Ms.Aditi V Harithasa, Sri.Dinesh Todarwal and Smt.Sumitha Todarwal, in its revenue records;

The Owners & the Developer have mutually decided the allotments of the residential apartment units proposed to be constructed and accordingly they have entered into a Deed of Allocation dt:08-01-2020. On perusal of the said allocation deed dt:08-01-2020, 107 residential apartments are allotted to the share of the Developer as reflected in Annexure III thereto, while the allotments made to the owners are reflected in Annexure I & II. The areas of the residential units is referred as super built up area;

Tax paid receipts for the assessment years 2017-18 to 2019-20, in respect of the amalgamated property, are produced for scrutiny.

Encumbrance certificates from 01-04-2014 o 29-07-2019 in respect of the "C" Schedule property is produced for scrutiny. The registered transactions referred to in this opinion are reflected and no other registered transactions are forthcoming;

In view of the documents produced and above observations, I am of the opinion that the land owners Sri.R Venkatakrishna, Smt.Indira A Rao, Smt.Shubha V Harithasa, Smt.Smitha V Harithasa, Ms.Aditi V Harithasa, Sri.Dinesh Todarwal and Smt.Sumitha Todarwal, as co-owners, have got marketable title in respect of the "C" schedule property, subject to the Development Rights of S G R Buildtech LLP and production of Encumbrance certificate from 01-07-2019 to up to date, reflecting the municipal number and correct sital area;

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"C" SCHEDULE

[Consolidated Schedule of "A" & "B" Schedule properties of this legal opinion]

All that piece and parcel of property bearing Municipal No:96/97/46/2 (previously portions of residentially converted land in Sy.No:46/2 of Yellenahalli Village, Begur Hobli, Bangalore South Taluk) presently situated at Yelanahalli, Bangalore, within the limits and administration of Begur Sub Division of Bruhat Bangalore Mahanagara Palike, Bangalore, Corporation Ward No:192, in all ad-measuring 7,891.93 sq.mtrs. (84,948.73 sq.ft.) and bounded on the :

East By	:	Land in Re-Sy No:45, belonging to Sri.Chinnappa;
West By	:	24mtrs. Government Road;
North By	:	Land in Re-Sy Nos:59,60 and 51, belonging to Sri.Doddamaraiah;
South By	:	Land in Re-Sy No:62, belonging to Sri.Nagappa;

DISCLAIMER:
This report has been prepared for SGR BUILDTECH LLP, in the context of the title of the land owners and the entitlement of Parties to Joint Development Agreement dt:04-04-2016, in respect of the "C" schedule of this Legal Opinion, for the purpose of RERA Registration and should not be relied upon for any other purpose. The contents of this report shall not without my express written consent, be quoted or referred to in any public document and/or filed with any government authority, agency or other official body. The information in this title report is derived solely from a review of the copies of the documents made available to me and the information furnished to me by my client and is not based on any independent investigation in any department or courts. I have assumed that (a) all copies provided to me confirm to the originals and accurate and complete, (b) all documents provided to me are properly authorised and executed and (c) apart from the documents and information made available, there are no other documents and there is no information withheld. This report should not be assumed to state the general principles of law applicable to transactions of this kind and shall not be used or relied upon as evidence before any Court/s or otherwise;

The entire file is herewith returned;

[N S SATYANARAYANA GUPTA]