

*Draft*

Title Opinion in respect of the property bearing Municipal No.12, (PID No.81-14-12), totally measuring 29577 square feet, comprising of i)Old No.12 (previously known as 12 & 14(even earlier as No.7/1) and ii)Old No.10/1(even earlier Nos. 10/1 & 10/2), situated at St. Johns Road, Municipal Ward No.81/Ulsoor.

**DESCRIPTION OF THE PROPERTY:**

**SCHEDULE 'A' PROPERTY**

**Item No:1**

All that Property presently bearing Municipal No:12 (Previously 12&14 and previously 7/1, situated at St.Johns Road, Municipal Ward No:81, Ulsoor, Bangalore in all totally measuring 21635 Square Feet and bounded by:-

East : Orchid Apartment;  
West : Saint John's Road; and  
North : Property of Sharada Pictures no 10/1 Saint John's Road  
South : Osborne Road.

**Item No:2**

All that piece and parcel of the property bearing Municipal No.10/1 (old Nos.10/1 & 10/2) situated at St.Johns Road, Municipal Ward No.81/Ulsoor, Bangalore and in all measuring 7,942 Square Feet, and bounded by:-

East : Private Property;  
West : St. Johns Road; and  
North : Private Property; and  
South : Property Presently bearing Municipal Nos.12, (previously 12 & 14, old No.7/1).

**COMPOSITE PROPERTY**

**Consisting of Item No.1 and Item No.2**

All that piece and parcel of the property bearing Municipal No.12, (PID No.81-14-12), totally measuring 29577 square feet, comprising of a)Old No.12 (previously known as 12 & 14(even earlier as No.7/1) and b)Old No.10/1(even earlier Nos. 10/1 & 10/2), situated at St. Johns Road, Municipal Ward No.81/Ulsoor, Bangalore and bounded by:

East: Orchid Apartment  
West: Saint John's Road  
North: Private Property  
South: Osborne Road.

*Draft*

I am furnished with the photocopies of the following documents and my opinion is as follows:-

**ITEM No.1:**

<b>SL. NO.</b>	<b>DATE OF DOCUMENT</b>	<b>DESCRIPTION OF THE DOCUMENT</b>
07)	07/06/1973	Will executed by Sri.A.E.Madhavaram Naidu bequeathing the Property in favour of Smt.R.Jayashree Devi and thereafter to Smt.R.Vidya Prakash, registered as Document No.17/1973-74 in Book-III, Volume 36 at Pages 98299 to 98305 in the Office of Sub-Registrar, Shivajinagar, Bangalore.
08)	20/05/1992	Will executed by Sri.A.E.Madhavaram Naidu bequeathing the Property in favour of Smt.R.Jayashree Devi in respect of Property No.11 and 12, St.Johns Road, Bangalore.
09)		Death Certificate of Sri.A.E.Madhavaram Naidu issued by the Corporation of the City of Bangalore.
10)	18/02/2021	Deed of Settlement executed by Smt.R.Jayashree Devi in favour of Sri.R.Vidya Prakash, Smt.R.Roopa Rani, Miss.Niveditha Naren and Miss.Nischitha Naren, registered as Document No.1726/2021-22 in Book-I and stored in CD.No.BNSD1276, in the Office of Sub-Registrar, Banaswadi, Bangalore in respect of Property bearing Municipal No.12 and 14, St.Johns Road, Bangalore.
17)	26/11/2020	Khatha Certificate and Khatha Extract issued by Bruhat Bangalore Mahanagara Palike for Property bearing No.12, St.Johns Road, Bangalore.
18)	17/04/2021	Memorandum of Agreement to Release Lease Hold Rights executed between Mrs.R.Jayashree Devi, Mr.R.Vidya Prakash and Ms.R.Roopa Rani in favour of M/s.Sharada Pictures and Infrastructure Private Ltd registered as Document No.805/2021-22 in Book-I and stored in C.D No.INRD811 in the Office of Sub-Registrar Shivajinagar, Bangalore.
19)	02/07/2021	Joint Development Agreement executed by Smt.R.Jayashree Devi and others in favour of M/s.Vaishnavi 81 Infrastructures LLP, in respect of Property bearing No.12, St.Johns Road, Bangalore, registered as Document No.950/21-22 in Book-I and stored in CD.No.SHVD895 in the Office of Sub-Registrar, Shivajinagar, Bangalore.

*Draft*

20)	02/07/2021	General Power of Attorney executed by Smt.R.Jayashree Devi in favour of M/s.Vaishnavi 81 Infrastructures LLP, in respect of Property bearing No.12, St.Johns Road, Bangalore, registered as Document No.56/2021-22 in Book-IV and stored in CD.No.SHVD895 in the Office of Sub-Registrar, Shivajinagar, Bangalore.
	05/08/2021	Amalgamation Order bearing No.DA/W.90(CN) KTR/59/21-22, M.R/06/20221-22, dated issued by Assistant Revenue Officer, Shivajinagar Sub-Division, BBMP, Bangalore amalgamating property bearing Municipal No.12 with Property bearing Municipal No.10/1.
	05/08/2021	Khatha Endorsement dated issued by BBMP for amalgamated Property bearing Municipal No.12 measuring 29,577 Sq.Ft.
21)	28/05/2020	Tax Paid Receipt for the year 2020-21 for property bearing Municipal No.12.
22)		Encumbrance Certificates for the period between 18/11/1955 to 17/08/2021 issued by Jurisdictional Sub-Registrar, Bangalore for property bearing Municipal No.12(old No.11, previously 12 &14, previous No.7/1).

**TRACING OF TITLE:**

The Property referred above will be referred to as '**Item No.1**' for convenience.

Item No.1 measures 21635 Sq.Ft in Municipal No.12, situated at St.Johns Road, Ward.No.81/Ulsoor, Bangalore. It is presently a part of an amalgamated compact Block measuring 29,577 Sq.Ft. Item No.1 forms a portion of larger property measuring on the Eastern Side: 230 Feet, on the Western Side: 367 Feet, on the Northern Side: 200 Feet and on the Southern Side: 300 Feet, in all measuring 74625 Sq.Ft in Property then identified as No.7, St.Johns Road, Bangalore. The property documents disclose that the same property has been assigned with different municipal numbers. Initially it is identified as No.7. Thereafter it is numbered as No.7/1. Subsequently it is renumbered as No.11. Later it is numbered as No.12 & 14. Presently it is identified as Municipal No.12.

The Larger Property was originally owned and possessed by Sri.A.E.Madhavaram Naidu. A portion of the Larger Property owned and possessed by Sri.A.E.Madhavaram Naidu was

assigned with New Municipal No.11. St.Johns Road, Civil Station, Bangalore and the same is evidenced in the registered Will dated 7/06/1973. The said property is Item No.1 herein.

The aforesaid Sri.A.E.Madhavaram Naidu died intestate on 20/11/1992, leaving behind two Wills, i.e. First Will dated 07/06/1973, registered as Document No.17/1973-74 in Book-III, Volume 36 at Pages 98299 to 98305, in the Office of Sub-Registrar, Shivajinagar, Bangalore and Second Will dated 02/05/1992 bequeathing the Property bearing No.11, St.Johns Road, Bangalore in favour of his daughter Smt.R.Jayashree Devi. After the demise of Sri.A.E.Madhavaram Naidu, the above Two Wills have come into effect. It is relevant to note that in the First Will, the Property was bequeathed to Smt.R.Jayashree Devi and after her demise, to her children viz. Sri.R.Vidya Prakash *alias* Rajesh and Smt.R.Roopaa Rani. Though the First Will is a Conditional Will, in the Second Will absolute rights are conferred to Smt.R.Jayashree Devi. The Second Will may be read as Codicil to the First Will. Smt.Damayanthi, the wife of Sri.A.E.Madhavaram Naidu has also expired and consequently her claim to maintenance of Rs.500/- per month (Rupees Five Hundred Only) out of the rents in the Property has ceased.

Even if the First Will is interpreted independently, the beneficiaries of the Property are Smt.R.Jayashree Devi and thereafter her children Sri.R.Vidya Prakash *alias* Rajesh and Smt.Roopaa Rani and if the property is to be alienated all three of them have to convey their rights to avoid future complications.

Thus in the manner stated above, Smt.R.Jayashree Devi acquired ownership and possession to Item No.1 and her name was registered in the records of Bangalore Mahanagara Palike.

The aforesaid Smt.R.Jayashree Devi executed a Settlement Deed in favour of her Children and Grand Children viz. Sri.R.Vidya Prakash, Smt.Roopaa Rani, Miss.Niveditha Naren and Miss.Nischitha Naren, in terms of a Settlement Deed dated 18/02/2021, registered as Document No.1726/2021-22 in Book-I and stored in CD.No.BNSD1276, in the Office of Sub-Registrar, Banaswadi, Bangalore, settling undivided shares in the Schedule Property, as follows:-

Sri.R.Vidya Prakash -- 40%,  
Smt.R.Roopaa Rani -- 10%,  
Miss.Niveditha Naren -- 9%, and

Miss.Nischitha Naren -- 9%.

The remaining 32% undivided share and rights in Item No.1 was retained by Smt.R.Jayashree Devi.

Smt.R.Jayashree Devi's name has been recorded in the Khata Certificate and Khatha Extract dated 26/11/2020 issued by the Bruhat Bangalore Mahanagara Palike.

The aforesaid Smt.R.Jayashree Devi, Sri.R.Vidya Prakash, Smt.Roopaa Rani, Miss,Niveditha Naren and Miss.Nischitha Naren entrusted the Item No.1 hereinafter referred to as '**OWNERS I**' for Joint Development in favour of M/s.Vaishnavi 81 Infrastructure LLP, hereinafter referred to as '**DEVELOPER**' in terms of a Joint Development Agreement dated 02/07/2021, registered as Document No.950/2021-22 in Book-I and stored in CD.No.SHVD895, in the Office of Sub-Registrar, Shivajinagar, Bangalore. Simultaneously, the owners have also executed a General Power of Attorney dated 19/04/2021, registered as Document No.56/2021-22 in Book-IV, in the Office of Sub-Registrar, Shivajinagar, Bangalore, empowering the Developer to do various acts, deeds and things including the Sale of Developer's Share in the Schedule Property. In terms of the aforesaid Joint Development Agreement, the Developer has agreed to develop the Schedule Property in to a multi-storied Residential Building and share the land and Super Built-up Area in the ratio of 47% of the share to the Owners and 53% of the Share to the Developer. A perusal of the joint development, it discloses that the Developer is not only entitled to develop the Schedule Property but also to sell the Developer's share of land and building thereon. In the aforesaid Joint Development Agreement, M/s.Sharada Pictures and Infrastructure Private Limited has joined the execution of Joint Development Agreement as Confirming Party.

Item No.1 is amalgamated with adjoining property bearing Municipal No.10/1 (which is also entrusted to the Developer for joint development under separate agreement) in terms of an Amalgamation Order bearing No.DA/W.90(CN) KTR/59/21-22, M.R/06/20221-22, dated 05/08/2021 issued by Assistant Revenue Officer, Shivajinagar Sub-Division, BBMP, Bangalore and the amalgamated property including the Schedule Property measuring 29,577 Sq.Ft is assigned with Municipal No.12. The Khatha Endorsement dated 05/08/2021 issued by BBMP for the amalgamated property confirms the said fact.

*Draft*

The property tax for the year 2020-21 is duly paid in respect of the Schedule Property as evidenced from the Tax Paid dated 28/05/2020 issued by BBMP.

Encumbrance Certificates for the period 18/11/1955 to 17/08/2021 issued by Jurisdictional Sub-Registrar, Bangalore for property bearing Municipal No.12(old No.11, previously 12 &14, previous No.7/1) do not disclose any charge or encumbrance over Item No.1 apart from the transactions referred to above.

I am furnished with the photocopies of the following documents and my opinion is as follows:-

**ITEM No.2:**

<b>Sl.No.</b>	<b>Date</b>	<b>Description</b>
1)	12/08/1968	Sale Deed executed by Sri.L.K.Jawaharlal in favour of Smt.Moola Venkatamma and others, registered as Document No.1339/1968-69 in Book-I, Volume 1517 at Pages 165 to 168 in the Office of Sub-Registrar, Shivajinagar, Bangalore in respect of Property bearing No. 7 and 10, St.Johns Road, Bangalore.
2)	19/06/1972	Partnership Deed between Smt.Moola Venkatamma, Smt.Prema.B.Moola, Smt.Pratibha S.Moola and Smt.Dechu.Ravindranath forming a firm known as 'M/s.Lavanya Enterprises.
3)	01/01/1979	Partnership Deed between Smt.Prema.B.Moola, Smt.Pratibha S.Moola, Smt.Dechu.Ravindranath and Smt.Anuradha R.Moola.
4)	01/09/1983	Partnership Deed executed between Smt.Prema.B.Moola, Smt.Pratibha S.Moola, Smt.Dechu.R.Moola, Smt.Anuradha R.Moola and M/s.Sharada Pictures (Bangalore) Private Limited.
5)	31/10/1986	Sale Deed executed by (1)Sri.S.Ravindran, (2)Smt.Usha Naidu, (3)Sri.Babuji in favour of M/s.Sharada Pictures (Bangalore) Private Limited, registered as Document No.3212/1986-87 in Book-I, Volume 2582 at Pages 20 to 27 in the Office of Sub-

*Draft*

		Registrar, Shivajinagar, Bangalore, in respect of Property bearing No.10, St.Johns Road, Bangalore.
6)	08/11/1990	Special Notice issued by Bangalore Mahanagara Palike disclosing the allotment of Municipal No.10/2 to Property purchased by M/s.Sharada Pictures (Bangalore) Private Limited, measuring 2080 Sq.Feet.
7)	09/11/1990	Khatha Certificate issued by the Corporation of the City of Bangalore in the name of M/s.Sharada Pictures (Bangalore) Private Limited, in respect of Property bearing No.10/2, St.Johns Road, Bangalore.
8)	31/10/1986	Sale Deed executed by (1)Sri.S.Ravindran, (2)Smt.Usha Naidu and (3)Sri.Babuji in favour of M/s.Sharada Pictures (Bangalore) Private Limited, registered as Document No.3219/1986-87 in Book-I, Volume 2582 at Pages 20 to 27 in the Office of Sub-Registrar, Shivajinagar, Bangalore.
9)	29/03/1997	Special Notice/Amalgamation Order bearing No. DA81 PR:161:96-97, MR8:96-97, issued by Bangalore Mahanagara Palike amalgamating Property measuring 5992 Sq.Ft in 10/1 and 1950 Sq.feet in 10/2 and assigning Municipal No.10/1 to Property measuring 7942 Sq.Ft.
10)	10/03/2020	Certificate of Incorporation pursuant to change of name from M/s.Sharada Pictures (Bangalore) Private Limited to M/s.Sharada Pictures and Infrastructure Private Limited issued by Registrar of Companies, Bangalore.
11)	22/04/2021	Joint Development Agreement executed by M/s.Sharada Pictures and Infrastructure Private Limited in favour of M/s.Vaishnavi 81 Infrastructures LLP, in respect of Property bearing No.10/1, St.Johns Road, Bangalore, registered as Document No.951/2021-22 in Book-I and stored in CD.No.SHVD895 in the Office of Sub-Registrar, Shivajinagar, Bangalore.

*Draft*

12)	02/07/2021	General Power of Attorney executed by M/s.Sharada Pictures and Infrastructures Private Limited, formerly known as M/s.Sharada Pictures (Bangalore) Private Limited, registered Document No.57/2021-22 in Book-IV and stored in CD.No.895 in the Office of Sub-Registrar, Shivajinagar, Bangalore.
13)	05/08/2021	Amalgamation Order bearing No.DA/W.90(CN) KTR/59/21-22, M.R/06/20221-22, dated issued by Assistant Revenue Officer, Shivajinagar Sub-Division, BBMP, Bangalore amalgamating property bearing Municipal No.10/1 with Property bearing Municipal No.12.
14)	05/08/2021	Khatha Endorsement dated issued by BBMP for amalgamated Property bearing Municipal No.12 measuring 29,577 Sq.Ft.
15)	31/05/2020	Tax Paid Receipt for the year 2020-21 issued by BBMP for Property bearing Municipal No.10/1.
16)		Encumbrance Certificates for the period from 01/04/1968 to 17/08/2021 issued by Jurisdictional Sub-Registrar, Bangalore.

**ITEM NO.2:**

**TRACING OF TITLE:**

The Property referred above will be referred to as '**Item No.2**' for convenience.

Item No.2 measures 7942 Sq.Ft in Municipal No.10/1. Previously it was identified as Municipal Nos.10/1 and 10/2, situated at St.Johns Road, Ward.No.81/Ulsoor, Bangalore. The Schedule Property comprises of two portions i.e. Municipal No.10/1 measuring 5862 Sq.Ft and Municipal No.10/2 measuring 2080 Sq.Ft. Both the said extents are amalgamated and it was identified as Municipal No.10/1, St.Johns Road, Ward.No.81/Ulsoor, Bangalore. Presently Item No.2 is again amalgamated with the adjoining Property bearing Municipal No.12 and forms a part of amalgamated extent measuring 29,577 Sq.Ft. For convenience the Item No.2 is discussed as Municipal No.10/1 and title is discussed for extent measuring 7942 Sq.Ft in Municipal No.10/1.

Out of the Item No.2, Property in Municipal No.10/1 forms a major portion of larger extent measuring  $(51+90)/2 \times (80+90)/2$ , totally measuring 5992.5 Sq.Ft. The said larger Property in Municipal No.10/1 was owned and possessed by Smt.Moola Venkatamma, Smt.Prema.B.Moola, Smt.Pratibha S.Moola and Smt.Dechu.Ravindranath, who purchased the same from their vendor Sri.L.K.Jawaharlal in terms of a Sale Deed 12/08/1968 registered as Document No.1339/1968-69 in Book-I, Volume 1517 at Pages 165 to 168 in the Office of Sub-Registrar, Shivajinagar, Bangalore and thereby Smt.Moola Venkatamma, Smt.Prema.B.Moola, Smt.Pratibha S.Moola and Smt.Dechu.Ravindranath became the absolute owners of the said Larger Property.

The aforesaid Smt.Moola Venkatamma, Smt.Prema.B.Moola, Smt.Pratibha S.Moola and Smt.Dechu.Ravindranath entered into a Partnership among themselves known as 'M/s.Lavanya Enterprises', in terms of a Partnership Deed dated 19/06/1972 and contributed the said property to 'M/s.Lavanya Enterprises', and thereby the property vested with M/s.Lavanya Enterprises. By a subsequent Partnership Deed 01/01/1979, the partnership firm was reconstituted between Smt.Prema.B.Moola, Smt.Pratibha S.Moola, Smt.Dechu.Ravindranath and Smt.Anuradha R.Moola. Again by a Partnership Deed dated 01/09/1983, the said Partnership firm was reconstituted and M/s.Sharada Pictures (Bangalore) Private Limited was inducted as a Partner.

The Property in Municipal No.10/2 measuring 2080 Sq.Ft was owned and possessed by M/s.Sharada Pictures (Bangalore) Private Limited, who purchased the same from their vendors (1)Sri.S.Ravindran, (2)Smt.Usha Naidu and (3)Sri.Babuji in terms of a Sale Deed dated 31/10/1986, registered as Document No.3212/1986-87 in Book-I, Volume 2582 at Pages 20 to 27 in the Office of Sub-Registrar, Shivajinagar, Bangalore and thereby M/s.Sharada Pictures (Bangalore) Private Limited became the absolute owner of property bearing Municipal No.10/2, St.Johns Road, Bangalore.

The Property in Municipal No.10/1 measuring 5992 Sq.Ft and 1950 Sq.Ft in Municipal No.10/2 were amalgamated into a single Compact Block, which totally measures 7942 Sq.Ft by virtue of an Amalgamation Order bearing No. DA81 PR:161:96-97, MR8:96-97, dated 29/03/1997 and was assigned with amalgamated Municipal No.10/1, which is Item No.2 herein and hereinafter referred to as 'Item No.2'.

In the meantime, M/s.Sharada Pictures (Bangalore) Private Limited was re-named as M/s.Sharada Pictures and Infrastructure Private Limited and the Certificate of Incorporation pursuant to change of name dated 10/03/2020 by Registrar of Companies confirms the said fact.

Thus in the manner stated above M/s.Sharada Pictures and Infrastructure Private Limited acquired title, right, interest, ownership and possession to the Property in Municipal No.10/1 measuring 5992.5 Sq.Ft and 1950 Sq.Ft in Municipal No.10/2. It appears that the available extent within the four boundaries in Municipal No.10/1 actually measures 5992.5 Sq.Ft and hence the said extent was accepted to be the available extent and amalgamated with property in No.10/2.

The aforesaid M/s.Sharada Pictures and Infrastructure Private Limited hereinafter referred to as '**OWNER**', being desirous of developing the Schedule Property into a multi-storied residential building entrusted the same to M/s.Vaishnavi 81 Infrastructure LLP, a Limited Liability Partnership, hereinafter referred to as '**DEVELOPER**' in terms of a Joint Development Agreement dated 02/07/2021, registered as Document No.951/2021-22 in Book-I and stored in CD.No.SHVD895, in the Office of Sub-Registrar, Shivajinagar, Bangalore.

Simultaneously, the owner also executed a General Power of Attorney dated 02/07/2021, registered as Document No.57/2021-22 in Book-IV, and stored in CD.No.895, in the Office of Sub-Registrar, Shivajinagar, Bangalore, empowering the Developer to do various acts, deeds and things including the sale of Developer's Share in the Schedule Property. In terms of the aforesaid Joint Development Agreement, the Developer has agreed to develop the Schedule Property in to a multi storied Residential Building and share the land and Super Built-up Area in the ratio of 47% of the share to the Owner and 53% of the share to the Developer. A perusal of the joint development, it discloses that the Developer is not only entitled to develop the Schedule Property but also to sell the Developer's share of land and building thereon.

The Schedule Property is presently amalgamated with adjoining property bearing Municipal No.12 (which is also entrusted to the Developer for joint development under separate agreement) in terms of an Amalgamation Order bearing No.DA/W.90(CN) KTR/59/21-22, M.R/06/20221-22, dated 05/08/2021 issued by Assistant Revenue Officer, Shivajinagar Sub-

Division, BBMP, Bangalore and the amalgamated property including the Schedule Property measuring 29,577 Sq.Ft is assigned with Municipal No.12. The Khata Endorsement dated 05/08/2021 issued by BBMP for the amalgamated property confirms the said fact.

The property tax for the year 2020-21 is duly paid in respect of the Schedule Property as evidenced from the Tax Paid dated 31/05/2020 issued by BBMP.

Encumbrance Certificates for the period 01/04/1968 to 17/08/2021 issued by the jurisdictional Sub Registrar do not disclose any charge or encumbrance over Item No.2.

**OPINION:**

Thus on the basis of the documents referred to above and representations made, I am of the opinion that the Item No.1 described above is held owned, possessed and enjoyed by Smt.R.Jayashree Devi, Sri.R.Vidya Prakash, Smt.Roopaa Rani, Miss.Niveditha Naren and Miss.Nischitha Naren and their title to the same is not only clear and marketable but also free from all encumbrances during the periods mentioned in the Encumbrance Certificates, subject to the development rights of M/s.Vaishnavi 81 Infrastructure LLP under Joint Development Agreement and General Power of Attorney both dated 02/07/2021 referred to above. The Joint Development Agreement and General Power of Attorney both dated 02/07/2021, executed in favour of M/s.Vaishnavi 81 Infrastructure LLP is duly registered and adequately stamped in accordance with law.

Similarly, on the basis of documents made available to me and representations made, I am of the opinion that M/s.Sharada Pictures and Infrastructure Private Limited is the absolute owner of Item No.2 and the title of M/s.Sharada Pictures and Infrastructure Private Limited to the Schedule Property is clear and marketable but also free from all encumbrances during the periods mentioned in the Encumbrance Certificates, subject to the development rights of M/s.Vaishnavi 81 Infrastructure LLP under Joint Development Agreement and General Power of Attorney both dated 02/07/2021 referred to above. The Joint Development Agreement and General Power of Attorney both dated 02/07/2021, executed in favour of M/s.Vaishnavi 81 Infrastructure LLP is duly registered and adequately stamped in accordance with law.

Further in terms of an Amalgamation Order bearing No.DA/W.90(CN) KTR/59/21-22, M.R/06/20221-22, dated 05/08/2021 issued by the Assistant Revenue Officer, Shivajinagar

*Draft*

Sub-Division, BBMP, Bangalore, Item No.1 and Item No.2 totally measuring 29,577 square feet has been amalgamated and assigned with Municipal No.12, the Schedule Property, being one Compact Block.

Inhouse Legal

Sd

*Draft*