

Kusuma R. Muniraju . Kusuma Kaushik

B. S. Shankarnarayan . S. Venkateshwara Rao . J. Ravi Sunder . T. K. Thyagaraj . M. S. Sanjeeva Kumar . B. N. Dileep Kumar . B. R. Basavaraj
 N. L. Maheshwara Prasad . Shylini N . Nupur Kabra Mundhra . Rashmi. H . B. Amulya Sujit K. S. Sushma .

Dt:20/03/2024.

M/s. BRIGADE TETRARCH PRIVATE LIMITED.,
 29th and 30th Floors,
 'World Trade Center Bangalore',
 Brigade Gateway Campus,
 No.26/1, Dr. Rajkumar Road,
 Malleswaram - Rajajinagar,
 BANGALORE – 560 055.

Sirs,

Sub: Title Opinion in respect of Properties measuring (i) 05 Acres 26 Guntas in Sy.No.10/2, (ii) 00 Acres 04.25 Guntas in Sy.No.23/1A (Old Sy.No.23/1) and (iii) 00 Acres 05 Guntas in Sy.No.23/2A (Old Sy.No.23/2) situated at Venkatala Village, Yelahanka Hobli and Bangalore North Taluk in all measuring 05 Acres 35.25 Guntas or 2,56,187.25 Sq. Ft. and bearing Municipal No.1141/387/262/200, Sy.Nos.10/2, 23/2, 23/1, Municipal Ward No.1 of Kempegowda, Venkatala, Yelahanka Sub-Division, Bangalore.

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

SL. NO.	DATE	NATURE OF THE DOCUMENTS
1.	28/10/1946	Certified Copy of Sale Deed executed by Mrs. Florence Forster in favour of Sri. N. Keshava Iyengar, registered as Document No.2852/1946-47 in Book-I, Volume 860 at Pages 229 to 236 in the Office of the Sub-Registrar, Bangalore Taluk.
2.	31/11/1949	Certified Copy of Mortgage Deed executed by Sri. N. Keshava Iyengar and his son Sri. N.K. Ramesh in favour of Bangalore Taluk Land Mortgage Co-Operative Society, registered as Document No.2486/1949-50 in Book-I, Volume 1097 at Pages 108 to 111, in the Office of the Sub-Registrar, Bangalore Taluk.
3.	17/06/1950	Certified Copy of Sale Deed executed by Sri. N. Keshava Iyengar in favour of Sri. Viswambhar Dayal Mathur, registered as Document No.1739/1950-51 in Book-I, Volume 1142 at Pages 29 to 34, in the Office of the Sub-Registrar, Bangalore Taluk.
4.	15/10/1959	Certified copy of Sale Deed executed by Sri. Viswambhar Dayal Mathur in favour of Sri. B.S. Mani, registered as Document No.6603/1959-60 in Book-I, Volume 1843 at Pages 25 to 30, in the Office of the Sub-Registrar, Bangalore North Taluk.



5.	29/04/1963	Certified Copy of Sale Deed executed by Sri. B.S. Mani in favour of Smt. M. Rukmani, registered as Document No.816/1963-64 in Book-I, Volume 2242 at Pages 143 to 149, in the Office of the Sub-Registrar, Bangalore North Taluk.
6.	23/05/1963	True Copy of Release Deed executed by Sri. Venkatappa in favour of the aforesaid Smt. M. Rukmani in terms of a Release Deed dated registered as Document No.825 in Book-I, Volume 2278 at Pages 199 to 203, in the Office of the Sub-Registrar, Bangalore North Taluk.
7.	09/07/1969	Certified Copy of Sale Deed executed by Smt. M. Rukmani in favour of Mr. George Da Costa, registered as Document No.1130/1969-70 in Book-I, Volume 2698 at Pages 181 to 185, in the Office of the Sub-Registrar, Bangalore North Taluk.
8.	08/08/1969	Sale Deed executed by Mr. George Da Costa in favour of Mr. Anthony Da Costa, registered as Document No.1491/1969-70 in Book-I, Volume 2704 at Pages 27 to 32, in the Office of the Sub-Registrar, Bangalore North Taluk.
9.	26/08/1970	Certified Copy of Gift Deed executed by Mr. Anthony da Costa in favour of Missionaries of Charity, registered as Document No.1766/1970-71 in Book-I, Volume 2745 at Pages 90 to 93, in the Office of the Sub-Registrar, Bangalore North Taluk.
10.	26/08/1970	Certified Copy of Gift Deed executed by Mr. Anthony da Costa in favour of Mr. George da Costa, registered as Document No.1767/1970-71 in Book-I, Volume 2747 at Pages 207 to 210, in the Office of the Sub-Registrar, Bangalore North Taluk.
11.	06/12/1971	Certified Copy of Official Memorandum bearing No.B.DIS. ALN.SR.4771 issued by The Deputy Commissioner, Bangalore.
12.	13/12/1971	Conversion Sanction Certificate bearing No.ALN.SR. 2/1970-71 issued by The Tahsildar, Bangalore North Taluk, Bangalore.
13.	19/05/1973	Certified Copy of Trust Deed executed by Mr. Cuthbert Joseph Pinto in favour of Mr. Gratian Edmond Saldana for the benefit of (i) Mrs. Sylvia Philomena Saldanha, (ii) Miss. Ava Mary Geraloine Saldanha, (iii) Miss. Bernadina Palaria Saldanha, (iv) Miss. Jacqueline Aileen Juliete Saldanha, registered as Document No.11/1973-74 in Book-IV, Volume 17 at Pages 98 to 112, in the Office of the Sub-Registrar, Mangalore, Dakshina Kannada Taluk and created a Trust by name and style 'Sylvia Gratian Family Trust'.
14.	29/06/1973	Certified Copy of Sale Deed executed by Mr. Anthony Da Costa in favour of Sylvia Gratian Family Trust (declared on 19/05/1973 by Mr. Cuthbert Joseph Pinto for the benefit of minor children of Mr. Gratian Edmond Saldanha namely i]. Mrs. Sylvia Philomena Saldanha, ii]. Miss. Ava Mary Geraloia Saldanha, iii]. Miss. Bernadina Palaria Saldanha, iv]. Miss, Jacqueline Aileen Juliete Saldanha) represented by

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		its trustee Mr. Gratian Edmond Saldanha, registered as Document No.1401/1973-74 in Book-I, Volume 2879 at Pages 23 to 30, in the Office of the Sub-Registrar, Bangalore North Taluk.
15.	01/04/1981	Partnership Deed of 'M/s. Bangalore Ceramics' executed by Mr. K. Thomas Mathai, (2) Mr. Tony Chakola, (3) Mrs. Chinnamma Thomas (4) Mrs. Mary Devassy, (5) Mrs. Alice Varghese and (6) Mrs. Beena Chacko.
16.	01/04/1981	Form-A Extract issued by The District Registrar, Bangalore in respect of M/s. Bangalore Ceramics.
17.	01/12/1981	Partnership Deed executed between (1) Mr. K. Thomas Mathai, (2) Mr. Tony Chakola, (3) Mrs. Chinnamma Thomas (4) Mrs. Mary Devassy, (5) Mrs. Alice Varghese, (6) Mrs. Beena Chacko and (7) Mr. Gratian Edmond Saldanha representing M/s. Sylvia Gratian Family Trust.
18.	31/12/1984	Affidavit sworn to by the Trustee Mr. Gratian Edmond Saldanha.
19.	21/02/1985	Retirement Agreement executed by and between (1) Mr. K. Thomas Mathai, (2) Mr. Tony Chakola, (3) Mrs. Alice Varghese, (4) Mrs. Beena Chacko, (5) Mrs. Chinnamma Thomas, (6) Mrs. Mary Devassy and (7) Mr. Gratian Edmond Saldanha (as Trustee of Sylvia Gratian Family Trust), registered as Document No.61/1984-85 in Book-IV, SF Volume 67 at Pages 212 to 217, in the Office of the Sub-Registrar, Bangalore North Taluk.
20.	28/02/1985	Partnership Deed executed between (1) Mr. K. Thomas Mathai, (2) Mr. Tony Chakola, (3) Mrs. Chinnamma Thomas (4) Mrs. Mary Devassy, (5) Mrs. Alice Varghese and (6) Mrs. Beena Chacko.
21.	28/10/1986	License bearing No.M.Y.B.6413 issued by the Department of Industries and Boilers.
22.	28/09/1987	Partnership Deed executed between (1) Mr. K. Thomas Mathai, (2) Mr. Tony Chakola, (3) Mrs. Alice Varghese, (4) Mrs. Beena Chacko, (5) Mr. K.M. Thomas and (6) Mr. C.D. Ittimathew.
23.		Death Certificate of Mrs. Chinnamma Thomas issued by the Registrar of Births and Deaths, Trichur Municipality, Trichur.
24.	01/04/1992	Deed of Partnership executed between (1) Mr. K. Thomas Mathai, (2) Mr. Tony Chakola, (3) Mrs. Alice Varghese, (4) Mrs. Beena Chacko, (5) Mr. K.M. Thomas and (6) Mr. C.D. Ittimathew alias Mathews Chakola.
25.	24/10/2001	Will and Testament executed by Mr. K.M. Thomas registered as Document No.323/2001 in Book-III, Volume 272 at Pages 75 and 76, in the Office of the Sub-Registrar, Trichur.

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26.	02/02/2022	Notarised copy of true English translation of Will dated 24/10/2001.
27.		Death Certificate of Mr. K.M. Thomas issued by The Sub-Registrar of Births and Deaths, Kalpetta Municipality.
28.	17/11/2004	Deed of Partnership executed between (1) Mr. K. Thomas Mathai, (2) Mr. Tony Chakola, (3) Mrs. Alice Varghese, (4) Mrs. Beena Chacko and (5) Mr. C.D. Ittimathew alias Mathews Chakola.
29.	01/10/2020	Affidavit sworn to by Mrs. Elizabeth Rajan.
30.	01/10/2020	Affidavit sworn to by Mrs. Mary Francis.
31.	28/09/2020	Affidavit sworn to by Mrs. Veena Mathulla.
32.	11/09/2020	Affidavit executed by Mr. Thomas Mathai Kunnath.
33.	30/03/2012	Deed of Partnership executed by and between (1) Mr. K. Thomas Mathai, (2) Mr. Tony Chakola, (3) Mrs. Alice Varghese, (4) Mrs. Beena Chacko and (5) Mr. C.D. Ittimathew alias Mathews Chakola.
34.	30/12/2010	Entrepreneurs Memorandum Part II Acknowledgment of M/s. Bangalore Ceramics issued by the Joint Director, District Industries Center, Bangalore.
35.		House/Land Tax Assessment register issued by the Venkatachala Panchayath in respect of Property bearing Property No.200, Sy.Nos.10/2, 23/1 and 23/2 of Venkata Village.
36.	16/03/2011	Khata Certificate and Khata Extract in respect of Property bearing Municipal No.1141/387/262/200, Venkata, Bangalore issued by the Bruhat Bangalore Mahanagara Palike.
37.	04/03/1985	Letter issued by the South Indian Bank Ltd., Infantry Road Branch acknowledging the deposit of some title deeds.
38.	01/12/2011	Letter issued by South Indian Bank, Infantry Road Branch.
39.	25/07/2012	Letter issued by The South Indian Bank, Infantry Road Branch.
40.	02/05/2023	Complaint to the Sub-Inspector of Police, Infantry Road Police Station, Bangalore filed by M/s. Bangalore Ceramics.
41.	27/07/2023	Letter issued by M/s. Bangalore Ceramics for publication of Public Notice regarding the loss of original title deeds.
42.	04/08/2023	Public Notice published in Times of India (Classifieds) – Bangalore.
43.	05/01/2023	General Power of Attorney executed by Mr.Chakola Devassy Ittimathew alias Mathew D Chakola in favour of Mr. Chako Chakola registered as Document No.4/2023 in Book-IV, Volume 46 at Pages 227 to 234, in the Office of the Sub-Registrar, Trissur.

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44.	27/02/2023	Agreement to Sell executed by M/s. Bangalore Ceramics in favour of M/s. Brigade Tetrarch Private Limited, registered as Document No.3781/2022-23 in Book-I and stored in C.D.No.MLSD1196, in the Office of the Sub-Registrar, Gandhinagara (Malleshwaram), Bangalore.
45.	27/02/2023	General Power of Attorney executed by M/s. Bangalore Ceramics in favour of M/s. Brigade Tetrarch Private Limited registered as Document No.595/2022-23 in Book-IV and stored in C.D.No.MLSD1196, in the Office of the Sub-Registrar, Gandhinagara (Malleshwaram), Bangalore.
46.	30/08/2023	Relinquishment Deed executed by M/s. Bangalore Ceramics in favour of Bangalore Development Authority (BDA) registered as Document No.BDA-1-01679-2023-24 in Book-I and stored in the Centralized Data Cell in Electronic Form, in the Office of the Addl. District Registrar, Bangalore Urban District, Bangalore.
47.	02/09/2023	Khata Certificate and Khata Extract in the name of M/s.Bangalore Ceramics issued by Bruhat Bangalore Mahanagara Palike.
48.		Sketch prepared by The Surveyor, Bangalore Development Authority, Bangalore.
49.	14/09/2023	Sale Deed executed by M/s. Bangalore Ceramics in favour of M/s. Brigade Tetrarch Private Limited registered as Document No.MLS-1-02467-2023-24 in Book-I and stored in the Centralized Data Cell in Electronic Form, in the Office of the Addl. District Registrar, Bangalore Urban District, Bangalore.
50.		Index of Lands issued by the Revenue Authorities in respect of Properties in Sy.Nos.10/2, 23/1 and 23/2.
51.		Record of Rights in respect of Property in Sy.No.10/2 bearing R.R. Nos.580, 585 and 782.
52.		Record of Rights in respect of Property in Sy.No.23/1 bearing R.R. Nos.581, 586, 588, 597 and 783.
53.		Record of Rights in respect of Property in Sy.No.23/2 bearing R.R. Nos.582, 587, 589, 598 and 784.
54.		Pahanies in respect of Property in Sy.No.10/2 for the period from 1987-88 to 1994-95 and from 2018-19 to 2022-23.
55.		Pahanies in respect of Property in Sy.No.23/1 for the period from 1966-67 to 1970-71, from 1987-88 to 1995-96 and 2011-12, 2014-15.
56.		Pahanies in respect of Property in Sy.No.23/1A for the period from 2018-19 to 2022-23.
57.		Pahanies in respect of Property in Sy.No.23/2 for the period from 1966-67 to 1970-71, from 1987-88 to 1995-96.

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58.		Pahanies in respect of Property in Sy.No.23/2A for the period from 2018-19 to 2022-23.
59.	24/02/2023	Endorsement issued by The Shiristedar, Yelahanka Hobli, Yelahanka in respect of Property in Sy.No.10/2.
60.	24/02/2023	Endorsement issued by The Shiristedar, Yelahanka Hobli, Yelahanka in respect of Property in Sy.No.23/1.
61.	28/03/2023	Endorsement issued by The Shiristedar, Yelahanka Hobli, Yelahanka in respect of Properties in Sy.Nos.10/2, 23/1 and 23/2.
62.		Mula Tippani in respect of Property in Sy.No.10 issued by the Revenue Authorities.
63.		Hissa Survey Tippani in respect of Property in Sy.No.10 issued by the Revenue Authorities.
64.		Mula Tippani in respect of Property in Sy.No.23 issued by the Revenue Authorities.
65.		Hissa Tippni in respect of Property in Sy.No.23 issued by the Revenue Authorities.
66.		Hissa Tippani in respect of Properties in Sy.Nos.23/1 and 23/2 issued by the Revenue Authorities.
67.		Tax Paid Receipts in respect of the Property bearing Municipal No.387/262 (PID No. 16) for the period from 2017-18 to 2023-24 issued by The Bruhat Bangalore Mahanagara Palike.
68.		Tax Paid Receipts in respect of the Property bearing PID No.17 for the period from 2017-18 to 2022-23 issued by The Bruhat Bangalore Mahanagara Palike.
69.		Akarabandh in respect of Property in Sy.No.10/2 issued by the Revenue Authorities.
70.		Akarabandh in respect of Property in Sy.No.23/1A issued by the Revenue Authorities.
71.		Encumbrance Certificates in respect of Properties in Sy.Nos.10/2, 23/1 and 23/2 issued by the Jurisdictional Sub-Registrar for the period between 01/04/1940 and 31/03/2004.
72.		Nil Encumbrance Certificates in respect of Properties in Sy.Nos.10/2, 23/1 and 23/2 issued by the Jurisdictional Sub-Registrar for the period between 01/04/2004 and 07/01/2023.
73.		Encumbrance Certificates in respect of Property bearing Municipal No.1141/387/262/200 issued by the Jurisdictional Sub-Registrar for the period from 01/04/2004 to 03/10/2023.

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DESCRIPTION OF THE PROPERTY:-

All that Properties measuring (i) 05 Acres 26 Guntas in Sy.No.10/2, (ii) 00 Acres 04.25 Guntas in Sy.No.23/1A (Old Sy.No.23/1) and (iii) 00 Acres 05 Guntas in Sy.No.23/2A (Old Sy.No.23/2) situated at Venkatala Village, Yelahanka Hobli and Bangalore North Taluk in all measuring 05 Acres 35.25 Guntas or 2,56,187.25 Sq. Ft. and presently bearing Municipal No.1141/387/262/200, Sy.Nos.10/2, 23/2, 23/1, Municipal Ward No.1 of Kempegowda, Venkatala, Yelahanka Sub-Division, Bangalore and bounded by:

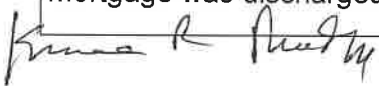
East : Road;
West : Property belonging to Missionaries of Charity and Bellary Road;
North : Private Property; and
South : Private Property.

SOURCE OF TITLE:

The above property will be hereinafter referred to as '**Schedule Property**' for convenience.

The Schedule Property earlier formed portion of Much Larger Property measuring 14 Acres in Sy.Nos.10, 23/1 and 23/2 of Venkatala Village and consisted of a bungalow and several constructions which were together known as 'Victory Villa' and was owned and possessed by Mrs. Florence Foster. The said Mrs. Florence Foster sold the Much Larger Property in favour of Sri. N. Keshava Iyengar in terms of a Sale Deed dated 28/10/1946, registered as Document No.2852/1946-47 in Book-I, Volume 860 at Pages 229 to 236 in the Office of the Sub-Registrar, Bangalore Taluk and since then Sri. N. Keshava Iyengar started enjoying the Much Larger Property as owner thereof.

The said Sri. N. Keshava Iyengar later mortgaged the Much Larger Property in favour of Bangalore Taluk Land Mortgage Co-Operative Society in terms of a Mortgage Deed dated 31/04/1949, registered as Document No.2486/1949-50 in Book-I, Volume 1097 at Pages 108-111, in the Office of the Sub-Registrar, Bangalore Taluk. I am not made available with Deed of Discharge of aforesaid mortgage, however, it is seen from the recitals in the Sale Deed dated 15/10/1959 discussed herein below that the said mortgage was discharged.



The said Sri. N. Keshava Iyengar later sold the Much Larger Property in favour of Sri. Viswambhar Dayal Mathur in terms of a Sale Deed dated 17/06/1950, registered as Document No.1739/1950-51 in Book-I, Volume-1142 at Pages 29 to 34, in the Office of the Sub-Registrar, Bangalore Taluk and since then Sri. Viswambhar Dayal Mathur started enjoying the Much Larger Property as owner thereof.

The said Sri. Viswambhar Dayal Mathur sold the said Much Larger Property in favour of Sri. B.S. Mani in terms of a Sale Deed dated 15/10/1959, registered as Document No.6603/1959-60 in Book-I, Volume 1843 at Pages 25 to 30, in the Office of the Sub-Registrar, Bangalore North Taluk and since then Sri. B.S. Mani started enjoying the Much Larger Property as owner thereof.

The said Sri. B.S. Mani entered into an Agreement dated 27/10/1959 with one Sri. Venkatappa for plantation of casuarina trees and equally shared the rights over the Casuarina Thope or plantation and this fact is recited in the Release Deed dated 23/05/1963 discussed below. The said Sri. B.S. Mani later sold the Much Larger Property along with his half undivided share in the casuarina trees/Thope in favour of Smt. M. Rukmani in terms of a Sale Deed dated 29/04/1963, registered as Document No.816/1963-64 in Book-I, Volume 2242 at Pages 143 to 149, in the Office of the Sub-Registrar, Bangalore North Taluk and since then Smt. M. Rukmani started enjoying the Much Larger Property as owner thereof. The said Sri. Venkatappa, the Agreement Holder, later released his rights over the aforesaid casuarina trees in favour of the aforesaid Smt. M. Rukmani in terms of a Release Deed dated 23/05/1963 registered as Document No.825 in Book-I, Volume 2278 at Pages 199 to 203, in the Office of the Sub-Registrar, Bangalore North Taluk. The true copy of the said Release Deed is made available. Subsequently, the said Smt. M. Rukmani started enjoying the Much Larger Property as owner along with plantation therein.

Out of Much Larger Property, the Property in Sy.No.10 was subjected to phodi and the Property measuring 08 Acres 17 Guntas and 00 Acre 13 Guntas of kharab land, in all measuring 08 Acres 30 Guntas was assigned with new Sy.No.10/2 of Venkatala Village as evident from the pahanies for the period from 1987-88 to 1994-95.

The Property in Sy.No.23/1 was subjected to phodi and was bifurcated into three portions i.e. (i) Property measuring 00 Acres 05 Guntas was assigned with Sy.No.23/1A which is a portion of the Schedule Property, (ii) Property measuring

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17 Guntas of kharab land was assigned with new Sy.No.23/1B and (iii) Property measuring 02 Acres 09 Guntas was assigned with new Sy.No.23/1C.

The said Smt. M. Rukmani later sold the said Much Larger Property in favour of Mr.George Da Costa in terms of a Sale Deed dated 09/07/1969, registered as Document No.1130/1969-70 in Book-I, Volume 2698 at Pages 181 to 185, in the Office of the Sub-Registrar, Bangalore North Taluk and since then Mr. George Da Costa started enjoying the Much Larger Property as owner thereof.

The extent available within the four boundaries of Much Larger Property was 14 Acres 02 Guntas as mentioned in the above referred Sale Deeds and the revenue records.

The said Mr. George Da Costa later sold a portion of Much Larger Property measuring 06 Acres 34 Guntas (06 Acres 24 Guntas in Sy.No.10/2, 00 Acres 05 Guntas in Sy.No.23/1 and 00 Acre 05 Guntas in Sy.No.23/2), which is the Larger Property herein, in favour of Mr.Anthony Da Costa in terms of a Sale Deed dated 08/08/1969, registered as Document No.1491/1969-70 in Book-I, Volume 2704 at Pages 27 to 32, in the Office of the Sub-Registrar, Bangalore North Taluk and since then Mr. Anthony Da Costa started enjoying the Larger Property as owner thereof and his name came to be mutated in the revenue records as evident from the pahanies.

The said Mr. Anthony da Costa later gifted a portion of Larger Property measuring 9.75 Guntas (10,594 Sq. Ft.) in Sy.No.10/2 in favour of Missionaries of Charity in terms of a Gift Deed dated 26/08/1970, registered as Document No.1766/1970-71 in Book-I, Volume 2745 at Pages 90 to 93, in the Office of the Sub-Registrar, Bangalore North Taluk and since then Missionaries of Charity became owner in respect of said Property measuring 10,594 Sq. Ft., as owner thereof.

The said Mr. Anthony da Costa gifted another portion of Property measuring 10,129 Sq. Ft (9.25 Guntas) approximately in Sy.No.10/2 in favour of Mr. George da Costa in terms of a Gift Deed dated 26/08/1970, registered as Document No.1767/1970-71 in Book-I, Volume 2747 at Pages 207 to 210, in the Office of the Sub-Registrar, Bangalore North Taluk and since then Mr. George da Costa started enjoying the said portion of Property measuring 10,129 Sq. Ft. as owner thereof.

The Schedule Property herein thereby measured 06 Acres 15 Guntas, after the aforesaid two gifts and retained by Mr. Anthony da Costa i.e., Property measuring 06 Acres 05 Guntas in Sy.No.10/2, 05 Guntas in Sy.No.23/1 and 05 Guntas in 23/2 of Venkatala Village.

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The said Mr. Anthony Da Costa later secured conversion of the Larger Property measuring 06 Acres 34 Guntas (which included the aforesaid 19 Guntas) from agricultural purposes to non-agricultural industrial purposes vide Official Memorandum bearing No.B.DIS.ALN.SR.4771, dated 06/12/1971, issued by The Deputy Commissioner, Bangalore. The Tahsildar, Bangalore North Taluk, Bangalore also issued Conversion Sanction Certificate bearing No.ALN.SR.2/1970-71, dated 13/12/1971 and since from the date of conversion, the Larger Property ceased to be an agricultural land and became fit for industrial use.

Later Mr. Anthony da Costa sold the Schedule Property measuring 06 Acres 15 Guntas in favour of M/s. Sylvia Gratian Family Trust represented by its Trustee Mr. Gratian Edmond Saldanha (hereinafter referred to as Trust) in terms of a Sale Deed dated 29/06/1973, registered as Document No.1401/1973-74 in Book-I, Volume 2879 at Pages 23 to 30, in the Office of the Sub-Registrar, Bangalore North Taluk and since then the said Trust started enjoying the Schedule Property as owner thereof.

In fact, the said Trust was made by one Mr. Cuthbert Joseph Pinto in terms a Trust Deed dated 19/05/1973 for the benefit of (i) Mrs. Sylvia Philomena Saldanha, (ii) Miss. Ava Mary Geraloine Saldanha, (iii) Miss. Bernadina Palaria Saldanha, (iv) Miss. Jacqueline Aileen Juliete Saldanha executed in favour of Mr. Gratian Edmond Saldana (husband of beneficiary No.1 and father of other beneficiaries therein) appointing him as a trustee, registered as Document No.11/1973-74 in Book-IV, Volume 17 at Pages 98 to 112, in the Office of the Sub-Registrar, Mangalore, Dakshina Kannada Taluk.

The said M/s. Sylvia Gratian Family Trust joined as one of the Partners of a Firm known as M/s. Bangalore Ceramics constituted by (1) Mr. K. Thomas Mathai, (2) Mr. Tony Chakola, (3) Mrs. Alice Varghese, (4) Mrs. Beena Chacko, (5) Mrs. Chinnamma Thomas, (6) Mrs. Mary Devassy, in terms of a Partnership Deed dated 01/12/1981, wherein the said Trust agreed and contributed the Schedule Property to the Firm as its capital. Prior to the Trust joining as a Partner, the said firm M/s. Bangalore Ceramics was formed by (1) Mr. K. Thomas Mathai, (2) Mr. Tony Chakola, (3) Mrs. Alice Varghese, (4) Mrs. Beena Chacko, (5) Mrs. Chinnamma Thomas, (6) Mrs. Mary Devassy under a Partnership Deed dated 01/04/1981. The District Registrar, Bangalore issued Form-A Extract of M/s. Bangalore Ceramics evidencing the registration of firm.

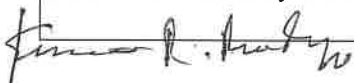
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As aforesaid Mr. Gratian Edmond Saldana one of the Trustees of the aforesaid Trust has represented the Trust and contributed the Schedule Property to M/s. Bangalore Ceramics which is also confirmed vide Affidavit dated 31/12/1984 sworn to by him. In view of the same, M/s. Sylvia Gratian Family Trust started holding ownership in the capacity of a Partner in the said Firm and the said firm became full and absolute owner of the Schedule Property. The Venkata Village Panchayath has issued House/Land Tax Assessment Register in respect of the Schedule Property bearing Janjaru No.236 and Property No.200 in the name of M/s. Bangalore Ceramics.

Subsequently, the aforesaid M/s. Sylvia Gratian Family Trust retired from the said firm of M/S. Bangalore Ceramics in terms of a Retirement Agreement dated 21/02/1985 executed by and between (1) Mr. K. Thomas Mathai, (2) Mr. Tony Chakola, (3) Mrs. Alice Varghese, (4) Mrs. Beena Chacko, (5) Mrs. Chinnamma Thomas, (6) Mrs. Mary Devassy and (7) the said M/s. Sylvia Gratian Family Trust, registered as Document No.61/1984-85 in Book-IV, SF. Volume-67 at Pages 212 to 217, in the Office of the Sub-Registrar, Bangalore North Taluk, wherein Trust received agreed amounts due and payable and the Schedule Property continued to be one of the assets of the Firm. The continuing partners reconstituted the firm of M/s. Bangalore Ceramics in terms of a Reconstitution of Partnership dated 28/02/1985 and continued its business.

M/s. Bangalore Ceramics secured a License dated 28/10/1986 bearing No.M.Y.B.6413 issued by the Department of Industries and Boilers for running a factory in Schedule Property.

One of the partners of M/s. Bangalore Ceramics, Mrs. Chinnamma Thomas died on 20/06/1987 as evident from the Death Certificate issued by the Registrar of Births and Deaths, Trichur Municipality, Trichur. It is evident from the Partnership Deed dated 28/09/1987 that the legal heirs of Mrs. Chinnamma Thomas opted not to be partners of the aforesaid Firm and hence released their rights by receiving the agreed amounts due to the estate of Mrs. Chinnamma Thomas. It is further seen that another partner Mrs. Mary Devassy retired from the aforesaid Firm on 20/06/1987 by receiving agreed amounts due to her. Subsequent to that, the continuing partners namely (1) Mr. K. Thomas Mathai, (2) Mr. Tony Chakola, (3) Mrs. Alice Varghese, (4) Mrs. Beena Chacko admitted Mr. K.M. Thomas and Mr. C.D. Ittimathew as incoming partners of the aforesaid Firm and reconstituted the firm in terms of Deed of Partnership dated 28/09/1987 and by a Deed of Partnership dated 01/04/1992.



The said Mr. K.M. Thomas also known as Kunnath Thomas (husband of the aforesaid Mrs. Chinnamma Thomas), one of the Partners of M/s. Bangalore Ceramics, died testate on 21/09/2004 leaving behind him, his last Will and Testament dated 24/10/2001 registered as Document No.323 in Book-III, Volume 272 at Pages 75 and 76, in the Office of the Sub-Registrar, Trichur, wherein he bequeathed his share in the firm in favour of his son being one of the partners namely Mr. K. Thomas Mathai and he was also appointed as executer of the said Will. The translated copy of the aforesaid Will of Mr. K.M. Thomas and the Death Certificate of Mr. K.M. Thomas issued by The Sub-Registrar of Births and Deaths, Kalpetta Municipality are produced. Thus on death of Mr. K.M. Thomas, the continuing partners reconstituted the firm vide Deed of Partnership dated 17/11/2004. The daughters of Mr. K.M. Thomas namely (1) Mrs. Elizabeth Rajan, (2) Mrs. Mary Francis and (3) Mrs. Veena Mathulla sworn to three separate Affidavits dated 01/10/2020, 01/10/2020 and 28/09/2020 respectively wherein they confirmed correctness of the bequest in the Will executed by their father.

The said Firm was lastly reconstituted in terms of a Partnership Deed dated 30/03/2012 with its present partners being (1) Mr. K. Thomas Mathai, (2) Mr. Tony Chakola, (3) Mrs. Alice Varghese, (4) Mrs. Beena Chacko and (5) Mr. C.D. Ittymathew alias Mathews D. Chakola. The said Firm continued to enjoy the Schedule Property as absolute owners. Acknowledgment of Registration of Firms of M/s. Bangalore Ceramics dated 30/12/2010 issued by the Joint Director, District Industries Centre, Bangalore is produced.

The Schedule Property came under the municipal limits of Bruhat Bangalore Mahanagara Palike and was assessed for municipal property taxes and assigned with Municipal No.1141/387/262/200, Venkatala, Bangalore vide Khata Certificate and Khata Extract both dated 16/03/2011 issued by the Bruhat Bangalore Mahanagara Palike.

The originals of some of the above referred documents viz., (i) Retirement Deed dated 21/02/1985 registered as Document No.61/1984-85 and (ii) Sale Deed dated 29/06/1973 registered as Document No.1401/1973-74 were deposited with South Indian Bank, Bangalore Cantonment Branch, Shivajinagar towards security for the credit facilities vide Letter bearing No.G/57/85 dated 04/03/1985. The said Bank did not return the said original documents inspite of the discharge of the aforesaid mortgage as they had lost the same in their office. The South Indian Bank, Infantry Road Branch in fact acknowledged the deposit of the said documents vide Letter

K. Thomas Mathai

01/12/2011 and also issued a Letter bearing No.GEN/118/12-13 dated 25/07/2012 stating that the originals of (i) Retirement Deed dated 21/02/1985 registered as Document No.61/1984-85 and (ii) Sale Deed dated 29/06/1973 registered as Document No.1401/1973-74 could not be traced inspite of thorough search and are unable to trace the same inspite of their best efforts. Hence M/s. Bangalore Ceramics lodged a complaint with The Sub-Inspector of Police, Infantry Road Police Station, Bangalore on 02/05/2023 and got issued a Public Notice in the Times of India Newspaper on 04/08/2023 about the loss of the said title Deeds and have not received any response in respect of the action taken by them.

M/s. Bangalore Ceramics agreed to sell the Schedule Property measuring 06 Acres 15 Guntas in favour of M/s. Brigade Tetrarch Private Limited in terms of an Agreement to Sell dated 27/02/2023 registered as Document No.3781/2022-23 in Book-I and stored in C.D. No.MLSD1196, in the Office of the Sub-Registrar, Malleshwaram, Bangalore. On the same day M/s. Bangalore Ceramics executed a General Power of Attorney in favour of M/s. Brigade Tetrarch Private Limited, registered as Document No.595/2022-23 in Book-IV and stored in C.D.No.MLSD1196, in the Office of the Sub-Registrar, Gandhinagar (Malleshwaram), Bangalore, to deal with the several authorities in respect to the Schedule Property on their behalf. Subsequent to the execution of said Agreement to Sell, the Firm demolished the buildings that were standing. One of the partners namely Mr. C.D. Ittymathew alias Mathew D Chakola executed a General Power of Attorney dated 05/01/2023 in favour of his brother Mr. Chako Chakola, registered as Document No.4/2023 in Book-IV, Volume 46 at Pages 227 to 234, in the Office of the Sub-Registrar, Trissur, wherein he empowered him to represent him as a partner for sale of the Schedule Property in favour of M/s. Brigade Tetrarch Private Limited on his behalf.

The Bruhat Bangalore Mahanagara Palike Khata issued a Khata Certificate and Khata Extract both dated 02/09/2023 in the name of M/s. Bangalore Ceramics and also issued Tax Paid Receipt for the period of 2023-24 in respect of the Schedule Property.


Subsequently, on joint-survey of the land in the Schedule Property, the actual extent of the Schedule Property was ascertained at 05 Acres 35.25 Guntas consisting of (i) 05 Acres 26 Guntas in Sy.No.10/2, (ii) 00 Acres 4.25 Guntas in Sy.No.23/1A (Old Sy.No.23/1) and (iii) 00 Acres 05 Guntas in Sy.No.23/2A (Old Sy.No.23/2) of Venkatala Village, which is the Schedule Property herein.



M/s. Bangalore Ceramics through its Power of Attorney holder namely M/s. Brigade Tetrarch Private Limited had applied for sanction of Residential Development Plan before Bangalore Development Authority, Bangalore (BDA) in the Schedule Property and in compliance of the requirement of Bangalore Development Authority, portions of land in Schedule Property measuring 2381.00 Sq. Mtrs. equivalent to 25,629.084 Sq. Ft. or 23.53 Guntas out of 05 Acres 35.25 Guntas were relinquished for Parks and Open Spaces vide Relinquishment Deed dated 30/08/2023 registered as Document No.BDA-1-01679-2023-24 in Book-I and stored in the Centralized Data Cell in Electronic Form, in the Office of the Addl. District Registrar, Bangalore Urban District, Bangalore by relinquishing portion of land in the Schedule Property for Park and Open Spaces.

M/s. Bangalore Ceramics later sold the Schedule Property in favour of M/s. Brigade Tetrarch Private Limited in terms of a Sale Deed dated 14/09/2023, registered as Document No.MLS-1-02467-2023-24 in Book-I and stored in the Centralized Data Cell in Electronic Form, in the Office of the Senior Sub-Registrar, Malleshwaram, Bangalore and there is a reference to the aforesaid relinquishment of portions of land in the Schedule Property for Parks and Open Spaces as M/s. Brigade Tetrarch Private Limited proposed to undertake development in the Schedule Property. That on perusal of the averments in of the aforesaid Sale Deed it is seen passing of title and possession of the Schedule Property to M/s. Brigade Tetrarch Private Limited and thereby they became the absolute owners of the Schedule Property.

Index of Lands issued by the Revenue Authorities in respect of Properties in Sy.Nos.10/2, 23/1 and 23/2 discloses the names of Smt. M. Rukmani and Mr. Anthony Da Costa as owners during relevant period of time. Record of Rights in respect of Property in Sy.No.10/2 bearing R.R. Nos.580, 585 and 782 discloses the names of Smt. M. Rukmani, Mr. George Da Costa and Mr. Anthony Da Costa respectively as owners during relevant period of time. Record of Rights in respect of Property in Sy.No.23/1 bearing R.R. Nos. 581, 586, 588, 597 and 783 discloses the names of Smt. M. Rukmani, Mr. George Da Costa and Mr. Anthony Da Costa respectively as owners during relevant period of time. Record of Rights in respect of Property in Sy.No.23/2 bearing R.R. Nos. 582, 587, 589, 598 and 784 discloses the names of Smt. M. Rukmani, Mr. George Da Costa and Mr. Anthony Da Costa respectively as owners during relevant period of time.



Pahanies in respect of Property in Sy.No.10/2 for the period from 1987-88 to 1994-95 and from 2018-19 to 2022-23 discloses the names of Smt. M. Rukmani, Mr. George Da Costa, Mr. Antony Da Casta, Mr. Gratian Edmond Saldana for M/s. Sylvia Gratian Family Trust as owners during relevant period of time. Pahanies in respect of Property in Sy.No.23/1 for the period from 1966-67 to 1970-71, from 1987-88 to 1995-96 and 2011-12, 2014-15 discloses the names of Sri. B.S. Mani, Smt. M. Rukmani, Mr. George Da Costa, Mr. Antony Da Casta, M/s. Sylvia Gratian Family Trust, Missionaries of Charity as owners during relevant period of time. Pahanies in respect of Property in Sy.No.23/2 for the period from 1966-67 to 1970-71, from 1987-88 to 1995-96 discloses the names of Sri. B.S. Mani, Smt. M. Rukmani, Mr. George Da Costa, Mr. Antony Da Casta, M/s. Sylvia Gratian Family Trust, Missionaries of Charity as owners during relevant period of time. Pahanies in respect of Property in Sy.No.23/2A for the period from 2018-19 to 2022-23 discloses the name of Mr. Gratian Edmond Saldana as owner. Endorsement dated 24/02/2023 issued by The Shiristedar, Yelahanka Hobli, Yelahanka states that the pahanies in respect of Property in Sy.No.10/1 for the period from 1965-66 to 1971-72, from 1997-98 to 2000-01 are not available in his office records. Endorsement dated 24/02/2023 issued by The Shiristedar, Yelahanka Hobli, Yelahanka states that the pahanies in respect of Property in Sy.No.23/1 for the period between 1971-72 to 1975-76 are not available in his office records. Endorsement dated 28/03/2023 issued by The Shiristedar, Yelahanka Hobli, Yelahanka states that the pahanies in respect of Properties in Sy.Nos.10/2, 23/1 and 23/2 for the period from 1976-77 to 1986-87 and from 1997-98 to 1999-2000 are not available in his office records.

Tippani in respect of Property in Sy.No.10 issued by the Revenue Authorities confirms the shape of the said property. The said Tippani further confirms that the entire property in Sy.No.10 was a Beelu land. Hissa Tippni in respect of Property in Sy.No.10 issued by the Revenue Authorities confirms that the said property divided into two portions i.e. 10/1 and 10/2 and it further confirms the existence of a cart road in both the survey numbers. Tippani in respect of Property in Sy.No.23 issued by the Revenue Authorities confirms the shape of the said property. It further discloses the names of Sri. Thimmaiah and Sri. Chowdara Thimmaiah as kardadaars. Hissa Tippni in respect of Property in Sy.No.23 issued by the Revenue Authorities confirms that the said property divided into two portions i.e., 23/1 and 23/2. Hissa Tippani in respect of Properties in Sy.Nos. 23/1 and 23/2 issued by the Revenue Authorities confirms that

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the Property in Sy.No.23/1 phoded into three portions i.e. (i) Property measuring 00 Acres 05 Guntas was assigned with Sy.No.23/1A, (ii) Property measuring 17 Guntas of kharab land was assigned with new Sy.No.23/1B and (iii) 02 Acres 09 Guntas and 01 Gunta of kharab was assigned with new Sy.No. 23/1C. The Property in Sy.No.23/2 phoded into three portions i.e. (i) Property measuring 00 Acres 05 Guntas was assigned with Sy.No.23/2A, (ii) Property measuring 23 Guntas of kharab land was assigned with new Sy.No.23/2B and (iii) 02 Acres 06 Guntas was assigned with new Sy.No.23/2C. Akarabandh in respect of Property in Sy.No.10/2 issued by the Revenue Authorities confirms the extent of the property as 08 Acres 17 Guntas and 13 Guntas of kharab land, in all measuring 08 Acres 30 Guntas. Akarabandh in respect of Property in Sy.No.23/1A issued by the Revenue Authorities confirms the extent of the property as 00 Acres 05 Guntas and there is no Kharab land. Tax Paid Receipts in respect of the Property bearing Municipal No.387/262 (PID No. 16) for the period from 2017-18 to 2023-24 issued by The Bruhat Bangalore Mahanagara Palike are perused. Tax Paid Receipts in respect of the Property bearing PID No. 17 for the period from 2017-18 to 2022-23 issued by The Bruhat Bangalore Mahanagara Palike are perused.

Encumbrance Certificates in respect of Properties in Sy.Nos.10/2, 23/1 and 23/2 issued by the Jurisdictional Sub-Registrar for the period between 01/04/1940 and 31/03/2004 discloses the transactions referred to above and there was no charge over the Schedule Property. Nil Encumbrance Certificates in respect of Properties in Sy.Nos.10/2, 23/1 and 23/2 issued by the Jurisdictional Sub-Registrar for the period between 01/04/2004 and 07/01/2023 are perused. Encumbrance Certificate in respect of Property bearing Municipal No.1141/387/262/200 from 01/04/2004 to 03/10/2023 discloses the transactions referred above during the said period and there is no charge over the Schedule Property.

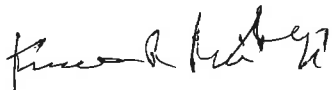
Thus on the basis of the documents referred to above and representations made and subject to my observations detailed above, I am of the opinion that **M/s. BRIGADE TETRARCH PRIVATE LIMITED.,** are the owners of the Schedule Property and their title to the same is clear and marketable and free from encumbrances during the periods referred to in the Encumbrance Certificates.



While conducting the scrutiny, I have assumed that the documents provided to me are the only documents relating to the Schedule Property and assumed the genuineness of all signatures, authenticity of all documents submitted and the conformity of photocopies or extracts with that of the original documents. I have also assumed that copies of the documents made available to me were/are accurate and complete and properly authorised and executed. In the event of facts in this opinion are different from my conclusions or assumptions from any documents not furnished and which may contradict my opinion, it may or may not have an impact on my opinion. This opinion is not absolute and not to be relied upon in substitution of any indemnities or representations or conditions precedent or warranties. Further during discussion, I have also relied upon various oral representations made to me by your executives in respect of the Schedule Property. Other than as specifically mentioned, I have not inspected the Schedule Property or verified physically, possession or boundaries and not independently validated the information provided to me with any external sources and not independently validated with records of the Jurisdictional Sub-Registrar, Revenue Authorities, Tribunals. I have also not conducted any independent searches at the Courts, Judicial or Quasi-Judicial Offices or forums or Government Offices in relation to the Schedule Property in respect of any litigations or proceedings. I accept no responsibility to you or any third party with regard to this opinion and this opinion is provided to you on the basis of the documents referred to above and representations made to me as aforesaid. This opinion shall not be used as evidence in courts or other forums or Government/ Authorities.

All documents sent to me are returned herewith.

Yours faithfully,



**(KUSUMA R. MUNIRAJU),
ADVOCATE.**