

TITLE REPORT

1. **Introduction:**

We have been engaged to act as the lender’s legal counsel for Aditya Birla Housing Finance Limited (“**Lender**”) for conducting a legal title due diligence in respect of following land parcels

- a. Survey No. 13/1 measuring 1 Acre and Survey No. 13/2 measuring 11 Guntas and land both situated at Kempalinganapura Village, Kasaba Hobli, Devanahalli Taluk, Bengaluru Rural District.
- b. Survey No. 23/1 measuring 29 Guntas, Survey No. 23/3 measuring 11 Guntas, Survey No. 23/4 measuring 13 Guntas, Survey No. 24/1 measuring 2 Acre 2 Guntas and Survey No. 25/3 measuring 27 Guntas situated at Uganawadi Village, Kasaba Hobli, Devanahalli Taluk, Bengaluru Rural District

in relation to a debt facility being availed from the Lender by M/s. Merusri Developers (“**Borrower/Developer**”) and to be secured by way of depositing documents as listed in Part 3 of this Title Report.

2. **Description of Schedule Property**

All piece and parcel immoveable property being residential 76 units comprising in Block A to F consisting of Ground floor + 2 upper floors and Terrace floor to be constructed on converted land bearing Survey No. 13/1 measuring 1 Acre and Survey No. 13/2 measuring 11 Guntas, Survey No. 23/1 measuring 29 Guntas, Survey No. 23/3 measuring 11 Guntas, Survey No. 23/4 measuring 13 Guntas, Survey No. 24/1 measuring 2 Acre 2 Guntas and Survey No. 25/3 measuring 21 Guntas, property bearing amalgamated khata No. 285/13/1/13/2/23/1/23/3/23/4/24/1/25/3 bearing PID No. 150300200401020267 totally measuring 5 Acres 07 Guntas (as detailed below) along with 76 car parking

Description of Land

Item No. 1- Owned by Mr. C Divakara Reddy

All that piece and parcel of converted land bearing Survey No. 13/1 measuring 1 Acre (vide converted Official Memorandum dated 07.03.2024 bearing No. 627791) situated

at Kempalinganapura Village, Kasaba Hobli, Devanahalli Taluk, Bengaluru Rural District which is bounded on:

East	:	Land bearing Survey No. 12 (Vedha enclave layout)
West	:	Uganawadi Village Border
North	:	Land bearing Survey No. 12 (Vedha enclave layout)
South	:	Land bearing Survey No. 13/2.

Item No. 2- Owned by Mr. C Divakara Reddy

All that piece and parcel of converted land bearing Survey No. 13/2 measuring 11 Guntas (vide converted Official Memorandum dated 07.03.2024 bearing No. 627793) situated at Kempalinganapura Village, Kasaba Hobli, Devanahalli Taluk, Bengaluru Rural District which is bounded on:

East	:	Land bearing Survey No. 12 (Vedha enclave layout)
West	:	Uganawadi Village Border
North	:	Land bearing Survey No. 13/1
South	:	Sunshine Gardenia Layout and Survey No. 13/3.

Item No. 3- Owned by M/s Merusri Developers

All that piece and parcel of converted land bearing Survey No. 23/1 (old Survey No. 23) measuring 29 Guntas (vide converted Official Memorandum dated 07.03.2024 bearing No. 627837) situated at Uganawadi Village, Kasaba Hobli, Devanahalli Taluk, Bengaluru Rural District which is bounded on:

East	:	Kempalingapura Village boundary;
West	:	Land bearing Survey No. 30;
North	:	Land bearing Survey Nos. 23/2, 23/3 and 23/4 and
South	:	Land bearing Survey No. 24.

Item No. 4- Owned by Mr. C Divakara Reddy

All that piece and parcel of converted land bearing Survey No. 23/3 (old Survey No. 23) measuring 11 Guntas (vide converted Official Memorandum dated 07.03.2024 bearing No. 627827) situated at Uganawadi Village, Kasaba Hobli, Devanahalli Taluk, Bengaluru Rural District which is bounded on:

East	:	Land bearing Survey No.23/4;
West	:	Land bearing Survey No. 23/2;
North	:	Land bearing Survey No. 21 and
South	:	Land bearing Survey No. 23/1.

Item No. 5- Owned by Mr. C Divakara Reddy

All that piece and parcel of converted land bearing Survey No. 23/4 (old Survey No. 23) measuring 13 Guntas (vide converted Official Memorandum dated 07.03.2024 bearing No. 627796) situated at Uganawadi Village, Kasaba Hobli, Devanahalli Taluk, Bengaluru Rural District which is bounded on:

East	:	Land belongs to Sunshine Gardenia Layout;
West	:	Land belongs to Mr. N Suresh;
North	:	Land belongs to Mr. Venkatappa (Purvankara Project) and
South	:	Land belongs to Mr. Patalappa.

Item No. 6- Owned by M/s Merusri Developers

All that piece and parcel of converted land bearing Survey No. 24/1 (old Survey No. 24) measuring 2 Acre 2 Guntas (vide converted Official Memorandum dated 11.03.2024 bearing No. 627841) situated at Uganawadi Village, Kasaba Hobli, Devanahalli Taluk, Bengaluru Rural District which is bounded on:

East	:	Land bearing Survey No. 25/3;
West	:	Land bearing Survey No. 29/1 and 30
North	:	Land bearing Survey No. 23/1 and
South	:	Sunshine Gardenia Layout.

Item No. 7- Owned by Mr. C Divakara Reddy

All that piece and parcel of converted land bearing Survey No. 25/3 (old Survey No. 25/1) measuring 21 Guntas out of 27 Guntas (vide converted Official Memorandum dated 07.03.2024 bearing No. 627826) situated at Uganawadi Village, Kasaba Hobli, Devanahalli Taluk, Bengaluru Rural District which is bounded on:

East	:	Kempalingapura Village boundary;
West	:	Land bearing Survey No. 24/1 (Sunshine Gardenia Layout)
North	:	Land bearing Survey No. 23;
South	:	Land in Survey No. 25 (Sunshine Gardenia Layout).

***NOTE:** We note that though the land acquired by Mr. C Divakara Reddy in Survey No. 25/3 but the land provided for khata and development is 21 Guntas only.

Item Nos. 1, 2, 3, 4, 5, 6 and 7 together hereinafter referred to as “**Schedule Property**”

3. List of Documents Furnished:

Sl. No.	Particulars	Nature of document
1.	Order dated 22.07.1961 passed in Case No. (illegible), issued by the Special Deputy Commissioner for Abolition of Inam, Bangalore Circle, in respect of Survey No. 13/1, measuring 1 Acre;	Photocopy
2.	Endorsement dated 9.9.1961, issued by Office of the Special Deputy Commissioner for Abolition of Inam, Bangalore Circle.	Photocopy
3.	Sale Deed dated 25.09.1974 registered on 17.04.1975 as Document No. 4245/1974-75 in Book I, Page 46-48, Volume 1157, in the office of Sub-Registrar, Bangalore;	Photocopy
4.	Entry Nos. 4/1974-75 and 5/1984-85 made in Mutation Register;	Photocopy
5.	Record of Rights bearing No. RR 153;	Certified copy
6.	Order dated 22.07.1961 passed in Case No. 1, issued by the Special Deputy Commissioner for Abolition of Inam, Bangalore, in respect of Survey No. 13/2, measuring 11 Guntas;	Photocopy
6A	Endorsement dated 9.8.1961, issued by Office of the Special Deputy Commissioner for Abolition of Inam, Bangalore Circle;	Photocopy
7.	Entry No. RR25 made in the Record of Right;	Photocopy
8.	Sale Deed dated 14.10.1985 (registered as Document No.797/1985-86 of Book I, Volume 1320 at Pages 224-227 in the office of the Sub Registrar;	Photocopy
9.	Entry No. MR 3/1994-95 made in the Mutation Register;	Photocopy
10.	Entry No. 300/1994-95 made in the Inheritance Certificate;	Photocopy
11.	Entry No. 48/1994-95 made in the Mutation Register;	Photocopy

12.	Affidavit dated 28.11.2016 sworn by Mr. Subbarayappa reflecting the names of Mr. Chikka Muniyappa family members	Original
13.	Agreement to Sell dated 17.05.2016 (registered as Document No. DNH-1-01376-2016-17 stored in CD No. DNHD596 in the office of the Sub Registrar, Devanahalli;	Photocopy
14.	Sale Deed dated 28.11.2016 (registered as Document No. DNH-1-08351-2016-17 stored in CD No. DNHD623, in Book I, in the office of Sub-Registrar, Devanahalli;	Original
15.	Entry No.MR H5/2016-17 made in Mutation Registrar;	Computer generated copy
16.	Plaint filed in O.S. 436/2018 filed in the Court of Senior Civil Judge, Devanahalli;	Certified copy
17.	IA order dated 31.8.2019 passed in O.S. 436/2018 filed in the Court of Senior Civil Judge, Devanahalli;	Certified copy
18.	Confirmation Deed dated 1.3.2018, registered as Document No. DNH-1-10216/2017-18, in Book I, stored in CD No. DNHD661, in the office Sub-Registrar, Devanahalli;	Original
19.	Confirmation Deed dated 29.04.2021 registered as Document No. DNH-1-01652-2021-22 in the office of the Sub Registrar, Devanahalli;	Original
20.	Joint Development Agreement dated 21.06.2023 (registered as Document No. DNH-1-03144-2023-24 in the office of the Sub Registrar, Devanahalli;	Original
21.	General Power of Attorney dated 21.06.2023 (registered as document No. DNH-4-00225-2023-24 in the office of the Sub Registrar Devanahalli);	Original
22.	Cancellation of JDA dated 09.11.2023 (registered as Document No. DNH-1-10517-2023-24 in the office of the Sub Registrar Devanahalli;	Original

23.	Cancellation of GPA dated 09.11.2023 (registered as Document No. DNH-4-00804-2023-24 in the office of the Sub Registrar Devanahalli);	Original
24.	Sale Deed dated 09.11.2023 (registered as Document No. DNH-1-10515-2023-24 in the office of the Sub Registrar, Devanahalli);	Original
25.	Order dated 29.11.1958 filed in Case No. 21 of 1958-59 passed by the Special Amildar for Abolition of Inams, Kolar District;	Photocopy
26.	Register VIII issued by Special Deputy Commissioner;	Photocopy
27.	Endorsement dated 18.12.1958 issued by Special Deputy Commissioner;	Photocopy
28.	Order dated 31.05.1982 passed in Case No. HOA 141/78-79 issued by the Tahsildar;	Photocopy
29.	Entry No. RR No. 1057 made in the Record of Rights;	Certified copy
30.	Entry No. RR No. 1061 made in the Record of Rights;	Certified copy
31.	Entry No. MR 52/1984-85 made in the Mutation Register;	Photocopy
32.	Entry No. MR 37/1984-85 made in the Mutation Register;	Photocopy
33.	Endorsement bearing No. HOA/CR/45/21-22 dated 05.02.2022 issued by the Tahsildar;	Photocopy
34.	Affidavit dated 11.08.2014 sworn by Mr. Patalappa recording the names of family members of Mr. Gundappa;	Photocopy
35.	Affidavit dated 10.01.2014 sworn by Mr. Patalappa recording the names of his family members;	Photocopy
36.	Mortgage Deed of Agricultural land dated 26.09.2013 (registered as Document No. DNH-1-05044-2013-14	Photocopy

	stored in CD No. DNHD347 in the office of the Sub Registrar, Devanahalli;	
37.	Entry No. MR T16/2013-14 made in the Mutation Register;	Computer generated copy
38.	Discharge Deed dated 21.02.2014 (registered on 25.02.2014 as Document no. DNH-1-09699-2013-14 stored in CD No. DNHD372 in the office of the Sub Registrar, Devanahalli;	Digitally signed copy
39.	Entry No. MR T8/2014-15 made in the Mutation Register;	Computer generated copy
40.	Agreement of Sale Dated 03.02.2017 (registered as Document No. DNH-1-10003-2016-17 stored in CD No. DNHD628 in the office of the Sub Registrar, Devanahalli);	Original
41.	Agreement to Sell dated 09.11.2023 registered as Document No. DNH-1-10530-2023-24, in Book I in the office of the Sub Registrar, Devanahalli;	Original
42.	General Power of Attorney dated 09.11.2023 registered as Document No. DNH-4-00806-2023-24 in the office of the Sub Registrar, Devanahalli;	Original
43.	Sale Deed dated 19.01.2024 (registered as Document No. DNH-1-14739-2023-24 in the office of the Sub Registrar, Devanahalli);	Original
44.	Confirmation Deed dated 06.02.2024 (registered as Document No. DNH-1-15931-2023-24 in the office of the sub registrar, Devanahalli;	Original
45.	Death Certificate of Mr. Narayanappa;	Photocopy
46.	Entry No. IHC 20/2012-13 made in the Inheritance Certificate;	Photocopy
47.	Entry No. MR 21/2012-13 made in the Mutation Register;	Photocopy

48.	Partition Deed dated 29.11.2014 (registered as Document No. DNH-1-07077-2014-15 stored in CD DNHD468 in the office of the Sub Registrar, Devanahalli;	Photocopy
49.	Entry No. MR H14/2014-15 made in the Mutation Register;	Photocopy
50.	Affidavit dated 15.02.2021 sworn by Mr. N. Ravikumar recording the genealogical tree of Mr. Narayanappa;	Photocopy
51.	Order dated 19.07.2019 passed in O.S. 225/2016 in the Court of Senior Civil Judge and JMFC Devanahalli;	Photocopy
52.	Compromise petition passed in O.S. 225/2016 in the Court of Senior Civil Judge and JMFC Devanahalli;	Photocopy
53.	Final Decree passed in O.S. 225/2016 in the Court of Senior Civil Judge and JMFC Devanahalli;	Photocopy
54.	Entry No. MR T36/2019-20 made in the Mutation Register;	Computer generated copy
55.	Agreement of Sale dated 24.03.2021 (registered on 15.10.2022 as Document No. DNH-1-10582-2020-21 stored in CD No. DNHD1241 in the office of the Sub Registrar, Devanahalli;	Original
56.	Sale Deed dated 14.10.2022 (registered as Document No. DNH-1-8737-2022-23 stored in CD No. DNHD1650 in the office of the Sub Registrar, Devanahalli);	Original
57.	Sale Deed dated 14.10.2022 (registered as Document No. DNH-1-8739-2022-23 stored in CD No. DNHD1650 in the office of the Sub Registrar, Devanahalli);	Original
58.	Joint Development Agreement dated 21.06.2023 (registered as Document No. DNH-1-03144-2023-24 in the office of the Sub Registrar, Devanahalli);	Original (refer Sl No 20)

59.	General Power of Attorney dated 21.06.2023 (registered as document No. DNH-4-00225-2023-24 in the office of the Sub Registrar Devanahalli);	Original (refer Sl No. 21)
60.	Entry No. RR 475 made in the Record of rights;	Photocopy
61.	Entry No. RR 476 made in the Record of rights;	Photocopy
62.	Extract of Index of Land issued in respect of Survey No. 24 measuring 5 Acres 4 Guntas;	Photocopy
63.	Extract of Index of Land issued in respect of Survey No. 25 measuring 5 Acre 4 Guntas;	Photocopy
64.	Endorsement bearing No. RK CR 119-2021-22 dated 08.08.2021 issued by Tahsildar, Devanahalli;	Photocopy
65.	Sale Deed dated 16.01.1958 (registered as Document No. 2697/1957-58 of Book I Volume 735 at Pages 149 to 150 in the office of the Sub Registrar;	Photocopy
66.	Sale Deed dated 16.01.1958, registered as 20.1.1958, on Document No. 2698 of Book I, Volume 714 at Pages 3 to 5 in the office of the Sub Registrar, Bengaluru.	Photocopy
67.	Sale Deed dated 04.11.1957 (registered on 13.11.1957 as Document No. 1989, of Book I, Volume 711 at Pages 102-104 in the office of the Sub Registrar);	Photocopy
68.	Entry No. MR 15/1994-95 made in the Mutation Register;	Photocopy
69.	Sale Deed dated 14.10.1985 (registered as Document No.797/1985-86 of Book I, Volume 1320 at Pages 224-227 in the office of the Sub Registrar;	Photocopy
70.	Entry No. MR 6/1985-86 made in the Mutation Register;	Photocopy
71.	Sale Deed dated 25.09.1974 (registered as Document No. 4244/1974-75 of Book I, Volume 1161 at Pages 115 to 117 in the office of the Sub Registrar);	Photocopy

72.	Entry No. MR 17/1994-95 made in the Mutation Register;	Photocopy
73.	Entry No. MR 27/1994-95 made in the Mutation Register;	Photocopy
74.	Entry No. 48/1994-95 made in the Mutation Register;	Photocopy
75.	Entry No. MR H23/2012-13 made in the Mutation Register;	Photocopy
76.	Entry No. MR T13/2015-16 made in the Mutation Register;	Photocopy
77.	Entry No. MR T26/2016-17 made in the Mutation Register;	Computer generated copy
78.	Deed of Cancellation dated 29.04.2021, registered on 30.06.2021, as Document No. DNH-1-01651-2021-22, in Book I, stored in CD No. DNHD1293, in the office of Senior Sub-Registrar, Devanahalli;	Original
79.	Release Deed dated 28.11.2016 (registered as Document No. DNH-1-08346-2016-17 stored in CD No. DNHD623 in the office of the Sub Registrar, Devanahalli);	Photocopy
80.	Genealogical tree of Mr. Munishamappa (demised) reflecting the names of his family members duly authenticated by Village Accountant, Bommavara Circle;	Photocopy
81.	Confirmation Deed dated 30.04.2021 (registered on 01.07.2021 as Document No. DNH-1-01725-2021-22 stored in CD No. DNHD1294 in the office of the Sub Registrar, Devanahalli;	Photocopy
82.	Sale Deed dated 28.11.2016 (registered as Document No. DNH-1-00839-2017-18 stored in CD No. DNHD638 in the office of the Sub Registrar Devanahalli;	Original

83.	Entry No. MR H30/2016-17 made in the Mutation Register;	Computer generated copy
84.	Deed of Confirmation dated 01.03.2018 (registered Document No. DNH-1-10214-2017-18 stored in CD No. DNHD661 in the office of the Sub Registrar, Devanahalli);	Original
85.	Release Deed dated 01.03.2018 (registered as Document No. DNH-1-10215-2017-18 stored in CD No. DNHD661 in the office of the Sub Registrar, Devanahalli);	Photocopy
86.	Sale Deed dated 29.04.2021 (registered as Document No. DNH-1-02721-2021-22 stored in CD No. DNHD1314 in the office of the Sub Registrar, Devanahalli);	Original
87.	Entry No. MR T 15/2021-22 made in the Mutation Register;	Digitally signed copy
88.	Sale Deed dated 21.06.2023 (registered as Document No. DNH-1-03141-2023-24 in the office of the Sub Registrar, Devanahalli);	Original
89.	Absolute Sale Deed dated 09.11.2023 (registered as Document No. DNH-1-10518-2023-24 in the office of the Sub Registrar, Devanahalli);	Original
90.	Unregistered Framework Agreement dated 27.12.2024 entered by and between M/s. Merusri Developers, Mr. C. Divakara Reddy and Merusri Sunscape LLP;	Photocopy
91.	Partnership Deed dated 10.04.2017 of Merusri Developers;	Photocopy
92.	Acknowledgement of Registration of Firms in Form C issued by the Registrar of Firms;	Photocopy
93.	Record of Rights Tenancy and Crops (RTCs) issued in respect of the land bearing Survey No. 13/1 measuring 1 Acre 16 Guntas (including 16 Guntas of kharab) for the years 1968-69 to 1977-78, 1983-84 to 2024-25;	Certified copy-1968-69 to 1972-73, 1983-84 to 1987-1988, 1988-

		<p>89 to 1992-93, 1993-94 to 1996-97, 1997-98 to 2001-02.</p> <p>Computer generated- 2001-02 to 2024-25</p> <p>Photocopy 1973-74 to 1977-78</p>
94.	Record of Rights Tenancy and Crops (RTCs) issued in respect of the land bearing Survey No. 13/2 measuring 13 Guntas (including 2 Guntas of B kharab) for the years 1968-69 to 1977-78, 1984-85 to 1991-92, 1993-94 to 2022-23;	<p>Certified copy 1968-69 to 1972-73, 1973-74 to 1977-78, 1983-84 to 1987-88, 1988-89 to 1991-92, 1993-94 to 1996-97, 1997-98 to 2001-02.</p> <p>Computer generated copy- 2001-02 to 2023-24;</p>
95.	RTCs issued in respect of Survey No. 23 measuring 1 Acre 18 Guntas for the years 1969-70 to 1972-73, 1973-74 to 1978-79, 1983-84 to 1987-88, 1988-89 to 1992-93, 1997-98 to 2001-02, 2002-03 to 2013-14;	<p>Photocopy – 1969-70 to 1972-73, 1973-74 to 1978-79, 1983-84 to 1987-88, 1988-89 to 1992-93, 1997-98 to 2001-02.</p> <p>Computer generated copy- 2002-03 to 2013-14.</p>
96.	RTCs issued in respect of Survey No. 23/1 measuring 29 Guntas for the years 2013-14 to 2022-23;	Computer generated

97.	RTCs issued in respect of Survey No. 23/2 measuring 29 Guntas for the years 2014-15;	Computer generated
98.	Record of Rights Tenancy and Crops (RTCs) issued in respect of the land bearing Survey No. 24 measuring 05 Acres 4 Guntas for the years 1969-70 to 2015-16;	Photocopy- 1969-70 to 1991-92, 1993-94 to 2000-01, 2001-02, 2003-04 to 2010-11, Computer generated- 2011-12 to 2015-16
99.	RTCs issued in respect of the land bearing Survey No. 24/1 measuring 2 Acre 2 Guntas for the year 2015-16 to 2023-24;	Computer generated copy
100.	Record of Rights Tenancy and Crops (RTCs) issued in respect of the land bearing Survey No. 25 measuring 05 Acres 4 Guntas (including 8 Guntas of kharab) for the years 1969-70 to 1972-73, 1973-74 to 1982-83;	Photocopy
101.	RTCs issued in respect of the land bearing Survey No. 25/1 measuring 2 Acres 26 Guntas (including 8 Guntas of kharab land) for the years 1983-84 to 1987-88, 1988-89 to 1992-93, 1993-94 to 2015-16;	Certified copy 1983-84 to 1987-88, 1988-89 to 1992-93, 1997-98 to 2001-02. Photocopy- 1993-94 to 1996-97, 2001-02 to 2010-11. Computer generated copy 2010-11 to 2015-16
102.	RTCs issued in respect of the land bearing Survey No. 25/3 measuring 27 Guntas for the years 2016-17 to 2022-23;	Computer generated copy
103.	Karda and Moola tippani in respect of Survey No. 13 situated at Kempalinganapura Village, Kasaba Hobli, Devanahalli Taluk, Bengaluru Rural District;	Certified copy

104.	Hissa Survey Tippani issued in respect of Survey No. 13 situated at Kempalinganapura Village, Kasaba Hobli, Devanahalli Taluk, Bengaluru Rural District;	Certified copy
105.	Atlas issued in respect of Survey No. 13 situated at Kempalinganapura Village, Kasaba Hobli, Devanahalli Taluk, Bengaluru Rural District;	Certified copy
106.	Karnataka Revision Settlement Akarband issued in respect of Survey Nos. 13/1 and 13/2 situated at Kempalinganapura Village, Kasaba Hobli, Devanahalli Taluk, Bengaluru Rural District;	Certified copy
107.	Karnataka Revision Settlement Akarband in respect of (i) Survey No. 23/1 situated at Uganawadi Village, Kasaba Hobli, Devanahalli Taluk, Bengaluru Rural District;	Certified copy
108.	Tippany issued in respect of the land bearing Survey No. 23 situated at Uganawadi Village, Kasaba Hobli, Devanahalli Taluk, Bengaluru Rural District;	Certified copy
109.	Hissa Survey Tippany dated 10.03.2020 and RR Pakka Book issued in respect of the land bearing Survey No. 23/2 measuring 29 Guntas situated at Uganawadi Village, Kasaba Hobli, Devanahalli Taluk, Bengaluru Rural District;	Certified copy
110.	Moola Tippany issued in respect of the land bearing Survey No. 24 situated at Uganawadi Village, Kasaba Hobli, Devanahalli Taluk, Bengaluru Rural District;	Certified copy
111.	Hissa Survey Tippany and RR Pakka Book issued in respect of the land bearing Survey No. 24 measuring 5 Acre 4 Guntas situated at Uganawadi Village, Kasaba Hobli, Devanahalli Taluk, Bengaluru Rural District;	Certified copy
112.	Revision Settlement Akarband in respect of Survey No. 24/1 situated at Uganawadi Village, Kasaba Hobli, Devanahalli Taluk, Bengaluru Rural District;	Certified copy

113.	Revision Settlement Akarband in respect of Survey No. 25/3 situated at Uganawadi Village, Kasaba Hobli, Devanahalli Taluk, Bengaluru Rural District;	Certified copy
114.	Moola Tippyany issued in respect of the land bearing Survey No. 25 situated at Uganawadi Village, Kasaba Hobli, Devanahalli Taluk, Bengaluru Rural District;	Certified copy
115.	RR Pakka Book issued in respect of the land bearing Survey No. 25 measuring 5 Acre 4 Guntas (including 8 Guntas) situated at Uganawadi Village, Kasaba Hobli, Devanahalli Taluk, Bengaluru Rural District;	Photocopy
116.	Atlas, Hissa Survey Tippyany dated 16.02.2017, RR Pakka Book issued in respect of the land bearing Survey No. 25/1 measuring 2 Acre 26 Guntas (including 8 Guntas kharab) situated at Uganawadi Village, Kasaba Hobli, Devanahalli Taluk, Bengaluru Rural District;	Certified copy
117.	Endorsement dated 7.12.2022, issued by the Tahsildar, Devanahalli Taluk in respect of Survey Nos. 13/1 and 13/2;	Photocopy
118.	Endorsement dated 8.8.2023, bearing RKCR 14/2021-22, issued by the Tahsildar, Devanahalli Taluk in respect of Survey Nos. 13/1;	Certified copy
118A	Nil Tenancy Certificate dated 9.2.2024, bearing No. RD0038366203879 issued by the Tahsildar, Devanahalli Taluk;	Photocopy
119.	Endorsement dated 14.10.2022, bearing No. PTCL (D)(H) CR 398/2022, issued by the Assistant Commissioner, Doddaballapura;	Certified copy
120.	Endorsement bearing No. PTCL (De) (E)CR:397/2022 dated 14.10.2022 issued by the Assistant Commissioner, Doddaballapura Sub Division;	Certified Copy
121.	Endorsement bearing No. PTCL (De) (E)CR:395/2022 dated 14.10.2022 issued by the Assistant Commissioner, Doddaballapura Sub Division;	Certified Copy

122.	Endorsement bearing No. PTCL (De) (E)CR:392/2022 dated 14.10.2022 issued by the Assistant Commissioner, Doddaballapura Sub Division;	Certified Copy
123.	Endorsement bearing No. PTCL (De) (E)CR:393/2022 dated 14.10.2022 issued by the Assistant Commissioner, Doddaballapura Sub Division;	Certified Copy
124A	Map of Kempalinganapura and Uganawadi Village;	Photocopy
124.	Official Memorandum dated 07.03.2024 bearing No. 627791 issued by Deputy commissioner;	Original
125.	Entry No. MR T6/2023-24 made in the Mutation Register;	Computer Generated Copy
126.	Official Memorandum dated 07.03.2024 bearing No. 627793 issued by Deputy commissioner;	Original
127.	Entry No. MR T5/2023-24 made in the Mutation Register;	Computer generated copy
128.	Official Memorandum dated 07.03.2024 bearing No. 627827 issued by Deputy commissioner;	Original
129.	Official Memorandum dated 07.03.2024 bearing No. 627796 by Deputy Commissioner;	Original
130.	Entry No. MR T28/2023-24 made in the Mutation Register;	Computer generated copy
131.	Official Memorandum dated 11.03.2024 bearing No. 627841 issued by Deputy commissioner;	Original
132.	Entry No. MR T33/2023-24 made in the Mutation Register;	Computer generated copy
133.	Official Memorandum dated 11.03.2024 bearing No. 627837 issued by Deputy commissioner;	Original
134.	Entry No. MR T32/2023-24 made in the Mutation Register;	Computer generated copy

135.	Official Memorandum dated 07.03.2024 bearing No. 627826 by Deputy commissioner;	Original
136.	E-Khata Certificate dated 03.07.2018 (form 9 and 11A) issued by the Uganavadi Grama Panchayat in respect of property bearing No. 285/13/1/13/2/23/1/23/3/23/4/24/1/25/3 measuring 20942.19 square meter or 225337.96 square feet (5 Acres 7 Guntas) on Survey Nos. 13/1, 13/2, 23/1, 23/4, 24/1, 25/3;	Digitally signed copy
137.	Tax paid receipts issued by Uganavadi Grama Panchayat for the years 2024-25;	Digitally signed copy
138.	Encumbrance Certificate dated 2.5.2015, bearing S. A No. 2159/2015-16 for the period from 1.4.1950 to 31.3.2004, in respect of Survey No. 13/1 and 13/2;	Certified Copy
139.	Encumbrance Certificate dated 29.4.2015, bearing S. A No. 2157/2015-16 for the period from 1.4.2004 to 25.04.2015, in respect of Survey Nos. 13/1 and 13/2;	Certified Copy
140.	Encumbrance Certificate dated 13.7.2022, bearing S. A No. 9133/2022-23 for the period from 20.10.2015 to 12.7.2022, in respect of Survey No. 13/1;	Certified Copy
141.	Encumbrance Certificate issued in respect of Survey No. 13/1 for the period from 01.04.2022 to 28.12.2024;	Digitally signed copy
142.	Encumbrance Certificate dated 13.7.2022, bearing S. A No. 9134/2022-23 for the period from 20.10.2015 to 12.7.2022, in respect of Survey No. 13/2;	Certified Copy
143.	Encumbrance Certificate issued in respect of Survey No. 13/2 for the period from 01.04.2022 to 28.12.2024;	Digitally signed copy
144.	Encumbrance Certificate dated 21.9.2022, bearing S. A No. 15118/22-23, for the period 1.4.2021 to 21.9.2022, in respect of Survey No. 23/1, 23/2, 23/3 and 23/4;	Certified Copy
145.	Encumbrance Certificate for the period 1.4.2004 to 26.10.2023, in respect of Survey No. 23/2, 3 and 4;	Digitally signed copy

146.	Encumbrance Certificate dated 27.9.2024, for the period 7.2.2024 to 25.9.2024, in respect of Survey No. 23/1;	Digitally signed copy
147.	Encumbrance Certificate dated 26.9.2024, for the period 1.3.2024 to 25.9.2024, in respect of Survey No. 23/3;	Digitally signed copy
148.	Encumbrance Certificate dated 27.9.2024, for the period 1.3.2024 to 25.9.2024, in respect of Survey No. 23/4;	Digitally signed copy
149.	Encumbrance Certificate issued in respect of Survey No. 23/1 for the period from 01.04.2022 to 28.12.2024;	Digitally signed copy
150.	Encumbrance Certificate issued in respect of Survey No. 23/3 for the period from 01.04.2022 to 28.12.2024;	Digitally signed copy
151.	Encumbrance Certificate issued in respect of Survey No. 23/4 for the period from 01.04.2022 to 28.12.2024;	Digitally signed copy
152.	Encumbrance Certificate issued in respect of Survey No. 23/1, 23/3, 23/4, 24/1 and 25/3 for the period from 01.04.2022 to 28.12.2024;	Digitally signed copy
153.	Encumbrance Certificate issued in respect of the land bearing Survey No. 24 for the period from 01.04.1950 to 01.04.2004;	Photocopy
154.	Encumbrance Certificate issued in respect of Survey No. 24/1 for the period from 01.04.2022 to 28.12.2024;	Digitally signed copy
155.	Encumbrance Certificate in SA No. 2160/15-16 issued in respect of the land bearing Survey No. 25/1 for the period from 01.04.1950 to 01.04.2004;	Certified Copy
156.	Encumbrance Certificate in SA No. 9131/22-23 issued in respect of the land bearing Survey No. 25/1 for the period from 01.04.2004 to 12.07.2022;	Certified Copy
157.	Encumbrance Certificate issued in respect of the land bearing Survey No. 25/3 for the period from 01.04.2022 to 25.09.2024;	Digitally signed copy

158.	Encumbrance Certificate issued in respect of Survey No. 25/3 for the period from 01.04.2022 to 28.12.2024;	Digitally signed copy
159.	Sanction letter bearing No. BIAAPA/TP/LAO/DP/116-2023-24/2024-25/1088 dated 5.8.2024 issued by BIAAPA;	Original
160.	Sanction Plan dated 5.8.2024, bearing No. BIAAPA/TP/LAO/DP/116-2023-24/2024-25 issued by BIAAPA;	Original

4 FLOW OF TITLE:

4.1 On perusal of the documents, we note that the land bearing:

- a. Survey No. 13/1 measuring 1 Acre 16 Guntas karab land and Survey No. 13/2 measuring 11 Guntas and 2 Gunta kharab land both situated at Kempalinganapura Village, Kasaba Hobli, Devanahalli Taluk, Bengaluru Rural District.
- b. Survey No. 23/1 measuring 29 Guntas, Survey No. 23/3 measuring 11 Guntas, Survey No. 23/4 measuring 13 Guntas, Survey No. 24/1 measuring 2 Acre 2 Guntas and Survey No. 25/3 measuring 21 Guntas situated at Uganawadi Village, Kasaba Hobli, Devanahalli Taluk, Bengaluru Rural District.

Title flow specific to Survey No. 13

4.2 On the Mysore (Religious and Charitable) Inam Abolition Act, 1955 (“Act”) coming into force in respect of lands situated in Kempalinganapura Village, all lands situated at Kempalinganapura Village (including Survey No. 13) vested with the Government of Karnataka.

4.3 Further, the land bearing Survey No. 13 measuring 3 Acre 16 Guntas (including 28 Gunta of Kharab) was phodied and sub divided into Survey Nos. 13/1, 13/2, 13/3 and 13/4 and the same is detailed below (Para 5 of this report)

Title flow specific to Survey No. 13/1, measuring 1 Acre (Item No. 1)

4.4 The Order dated 22.07.1961 passed in Case No. (illegible), issued by the Special Deputy Commissioner for Abolition of Inam, Bangalore Circle, in respect of Survey No. 13/1, measuring 1 Acre (“**Item No. 1**”) (**Document No. 1**) on a review of the said order we

understand that Mr. G. Krishnamurthy was registered as an occupant under Section 05 of Mysore (Religious and Charitable) Inams Abolition Act 1955.

- 4.5 We have been provided with Endorsement dated 9.9.1961, issued by Office of the Special Deputy Commissioner for Abolition of Inam, Bangalore Circle records Mr. G. Krishnamurthy to be the occupant of land bearing Survey No. 13/1, measuring 1 Acre thereof. **(Document No.2)**
- 4.6 Mr. G. Krishnamurthy (son of Mr. Gopal Bhat) conveyed Item No. 1 in favour of Mr. Chikkamuniyappa (son of Mr. Kempanna) under registered Sale Deed dated 25.09.1974 registered on 17.04.1975 as Document No. 4245/1974-75 in Book I, Page 46-48, Volume 1157, in the office of Sub-Registrar, Bangalore **(Document No.3)**
- 4.7 The aforementioned sale is recorded in Entry Nos. MR 4/1974-75 and MR 5/1984-85 made in Mutation Register and Record of Rights bearing No. RR 153 **(Document No.4 & 5)**

Title flow specific to Survey No. 13/2, measuring 11 Guntas (Item No. 2)

- 4.8 The earliest document provided for our review is Order dated 22.07.1961 passed in Case No. 1, issued by the Special Deputy Commissioner for Abolition of Inam, Bangalore, in respect of Survey No. 13/2, measuring 11 Guntas (“**Item No. 2**”) **(Document No. 6)** on a review of the said order we understand that Mr. M. Rama Pandit was registered as occupant under Section 05 of Mysore (Religious and Charitable) Inams Abolition Act 1955.
- 4.9 We have been provided with Endorsement dated 9.8.1961, issued by Office of the Special Deputy Commissioner for Abolition of Inam, Bangalore Circle **(Document No.6A)** records Mr. M. Rama Pandit to be the occupant of land bearing Survey No. 13/2, measuring 11 Guntas thereof.
- 4.10 Entry No. RR25 made in Record of Rights reflects Mr. M. Rama Pandit (son of Mr. Annaiah Pandit) to be the holder of **(Document No.7)**
- 4.11 Mr. M. Rama Pandit (son of Mr. Muttur Annaiah Pandit) conveyed Item No 2 in favour of Mr. Chikka Muniyappa (son of Mr. Kempanna) under the Sale Deed dated 14.10.1985 (registered as Document No.797/1985-86 of Book I, Volume 1320 at Pages 224-227 in the office of the Sub Registrar.) **(Document No.8)** The aforementioned sale is recorded in Entry No. MR 3/1994-95 made in Mutation Register and grants permission for transfer of khata to the name of Mr. Chikka Muniyappa **(Document No.9)**.
- 4.12 In the aforementioned manner Mr. Chikka Muniyappa came to hold Item No. 1 and 2.

Common Documents in respect of Item Nos 1 and 2

- 4.13 Further, on demise of Mr. Chikkamuniyappa (son of Mr. Kempanna) the khata in respect of Survey Nos. 13/1, measuring 1 Acre 16 Guntas (including 16 Guntas of B

Kharab) and 13/2, measuring 13 Guntas got mutated to the names of his son Mr. Subbarayappa as record in Entry No. 300/1994-95 made in Inheritance Certificate and Entry No. 48/1994-95 made in the Mutation Register (**Document No.10 & 11**).

4.14 We have been provided with the affidavit dated 28.10.2016 sworn by Mr. Subbarayappa (**Document No.12**) reflecting the names of Mr. Chikka Muniyappa family members viz.,

4.14.1 Mr. Chikka Muniyappa (demised) married to Mrs. Kempamma (demised) and have 9 children viz., Mr. Kempanna, Mr. Subbarayappa, Mrs. Muniyamma, MRs. Sharadamma, Mrs. Rathnamma, Mrs. Gowramma, Mrs. Yashodamma, Mr. Veeranna, Mr. Chandrashekar,

4.14.2 Mr. Subbarayappa is married to Mrs. Rajamma and have 3 children viz., Mr. Prakash, Mrs. Pavithra and Mr. Prabhakar.

4.14.3 Mr. Veeranna is married to Mrs. Manjamma and have 2 children viz., Mr. Chethan Gowda and Miss Impana

4.14.4 Mr. Chandrashekar is married to Mrs. Mamatha and have 2 children viz., Shashi Kumar and Abhishek.

4.15 Mr. Subbarayappa (son of Mr. Chikka Muniyappa) agreed to convey the land bearing Survey No. 13/1 measuring 1 Acres 16 guntas (including 16 Guntas of B kharab land), and Survey No. 13/2 measuring 13 Guntas (including 2 Guntas of B kharab land) in favour of Mr. D. S. Nagaraju (son of Mr. D. C. Subbarayappa) under the registered Agreement to Sell dated 17.05.2016 (registered as Document No. DNH-1-01376-2016-17 stored in CD No. DNHD596 in the office of the Sub Registrar, Devanahalli) (**Document No.13**).

4.16 Mr. Kempanna (son of Late Mr. Chikka Muniyappa), Mr. Subbarayappa (son of Late Mr. Chikka Muniyappa), Mr. Prakash, Mrs. Pavithra and Mr. Prabhakar (children of Mr. Subbarayappa), Mrs. Muniyamma, Mrs. Rathnamma and Mrs. Yashodamma (all 3 daughters of Late Mr. Chikka Muniyappa), Mr. Veeranna (son of Late Mr. Chikka Muniyappa) representing himself and his minor children viz., Chethan Gowda and Eempana, Mr. Chandrashekar (son of Late Mr. Chikka Muniyappa) representing himself and his minor children Shashi Kumar and Abhishek executed the registered Sale Deed dated 28.11.2016 (registered as Document No. DNH-1-08351-2016-17 stored in CD No. DNHD623, in Book I, in the office of Sub-Registrar, Devanahalli) (**Document No.14**) in favour of Mr. L. Gopinath (son of Late Mr. Lakshminarayanappa), whereby conveying Survey No. 13/1, measuring 1 Acre and Survey No. 13/2, measuring 11 Guntas i.e., Item No 1 and 2. Further, Mr. D. S. Nagaraj was included as confirming party to the sale deed.

4.17 The aforementioned sale is recorded as Entry No.MR H5/2016-17 made in Mutation Registrar (**Document No.15**).

4.18 We note that the family members of Late Mr. Munishamappa viz., Mrs. Muniakkayamma and Mrs. Manjula have filed a partition suit bearing No. O.S. 436/2018 (**Document No.16**) filed in the Court of Senior Civil Judge, Devanahalli against the

family members of Late Mr. Chikka Muniyappa viz., Mrs. Kempamma, Mrs. Kempanna, Mr. Subrayappa, Mrs. Muniyamma, Mrs. Subbarathnamma, Mrs. Sharadamma, Mrs. Gowramma, Mr. Veeresh, Mr. Chandrappa, Mrs. Yashodamma, along with other family members of Kempaiah @ Kempanna viz., Munikalappa, Mr. Subramani, Mr. Rajanna, (both sons of Mr. Munikalappa), Pillamuniyamma (daughter of Late Mr. Kempanna @Kempaiah), Mr. Krishnappa, Mrs. Susheelamma, Mrs. Sunandamma, Mrs. Neelamma, Mr. Nagesh Mr. Manjunath, Mr. Subramani (all children of Mrs. Pillamuniyamma), Mr. K. Ramababu, Mr. D. S. Nagaraja, Mrs. Kalpana Raghuram, Mr. Remond Rojariya, **Mr. L. Gopinath**, Mr. Ajay Singh and Mr. B. S. Panduranga Singh seeking partition and 1/4th share in the suit schedule properties (including Survey No.13/1 measuring 1 Acre, Survey No. 13/2 measuring 11 Guntas and Survey No. 24/1, measuring 2 Acre 2 Guntas). The grounds of contention are as follows:

- (i) It is submitted that one Mr. Kempaiah @ Kempanna is the prepositor of the joint family and he has 6 children viz., Mr. Doddamuniyappa (demised), Mr. Chikka Muniyappa (demised), Mr. Munikalappa, Mr. Munivenkatappa (demised) (unmarried), Mr. Munishamappa (demised) *has no male issues*, Mr. Muniyappa (demised).
- (ii) It is submitted that the Plaintiffs and Defendant 1 to 21 are the joint family members by Mitakshara School of Hindu Law and are in joint possession and enjoyment of the suit schedule property and till then had not made partition between themselves by metes and bounds.
- (iii) Further submits that Defendant 1 to 21 have no exclusive right over the suit schedule properties and any manner of right, title and interest over the same.
- (iv) Further contends that Defendant 1 to 21 have colluded with each other and have executed sale deed in favour of Defendant 22 to 28, Hence the suit.

We have been provided with the IA order dated 31.8.2019, (**Document No.17**), wherein the I. A was filed under order 6 Rule 17 of CPC seeking to amend the plaint by deleting the portion of property and some of the parties. The IA is allowed and the Survey No.13/1 measuring 1 Acre and Survey No. 13/2 measuring 11 Guntas and Survey No. 24/1, measuring 2 Acre 2 Guntas are deleted.

- 4.19 Mrs. Sharadamma (wife of Mr. Muniveerappa) and Mr. Gouramma (wife of Mr. Anjinappa) both daughter of late Mr. Chikkamuniyappa executed a registered Confirmation Deed dated 1.3.2018, registered as Document No. DNH-1-10216/2017-18, in Book I, stored in CD No. DNHD661, in the office Sub-Registrar, Devanahalli) (**Document No.18**) confirming the aforementioned Sale Deed dated 28.11.2016 (registered as Document No. DNH-1-08351-2016-17) in favour of Mr. L. Gopinath (son of Late Mr. Lakshminarayanappa).
- 4.20 Further, Mr. Chethan Gowda, Ms. Impana V (both children of Mr. Veerana), Mr. Shashi Kumar and Mr. Abhishek (son of Mr. C. Chandrashekar), Mr. Muniakkayamma and Mrs. Manjula have executed a registered Confirmation Deed dated 29.04.2021 registered as Document No. DNH-1-01652-2021-22 in the office of the Sub Registrar, Devanahalli) (**Document No.19**) confirming and ratifying the aforementioned Sale

Deed dated 28.11.2016 (registered as Document No. DNH-1-08351-2016-17) in favour of Mr. L. Gopinath (son of Late Mr. Lakshminarayanappa).

- 4.21 In the manner stated above Mr. L. Gopinath (son of Late Mr. Lakshminarayanappa) came to hold Item Nos. 1 and 2.
- 4.22 Thereafter, Mr. L. Gopinath (son of Late Mr. Lakshminarayanappa) had entered into Joint Development Agreement dated 21.06.2023 (registered as Document No. DNH-1-03144-2023-24) (**Document No.20**) with M/s. Merusri Developers (represented by its Managing Partner Mr. Venkateswara Reddy) with respect to Item No. 1 and 2, including Survey No. 23/3 measuring 11 Guntas, Survey No. 23/4 measuring 13 Guntas, Survey No. 25/3 measuring 27 Guntas and Survey No. 24/1 measuring 2 Acres 2 Guntas totally measuring 4 Acres 24 Guntas (excluding 18 Guntas of kharab land) to develop the lands into residential layout.
- 4.23 Pursuant to the Joint Development Agreement, General Power of Attorney dated 21.06.2023 (registered as document No. DNH-4-00225-2023-24 in the office of the Sub Registrar Devanahalli) (**Document No.21**) was executed by Mr. L. Gopinath nominating M/s. Merusri Developers as his attorney to do all acts, deeds and things as specified therein. The said JDA and GPA has been cancelled vide Cancellation of JDA dated 09.11.2023 (registered as Document No. DNH-1-10517-2023-24 in the office of the Sub Registrar Devanahalli and Cancellation of GPA dated 09.11.2023 (registered as Document No. DNH-4-00804-2023-24 in the office of the Sub Registrar Devanahalli) (**Document No.22 & 23**)
- 4.24 Thereafter Mr. L. Gopinath conveyed the Item No. 4 and 5 along with Survey No. 13/1 measuring 1 Acre 16 guntas (including 16 Guntas of kharab), Survey No. 13/2 measuring 11 Guntas and 2 Guntas of kharab land) and Survey No. 25/3 measuring 27 guntas in favour of Mr. C. Divakara Reddy (son of Late Mr. C. Muthyal Reddy) under the Sale Deed dated 09.11.2023 (registered as Document No. DNH-1-10515-2023-24 in the office of the Sub Registrar, Devanahalli) (**Document No.24**).
- 4.25 In the manner stated above Mr. C. Divakara Reddy (son of Late Mr. C. Muthyal Reddy) came to hold Item No. 1 and 2.

Uganavadi Village Property

- 4.26 On the Mysore (Personal and Miscellaneous) Inam Abolition Act, 1954 (“Act”) coming into force in respect of lands situated in Uganawadi Village, all lands situated at Uganawadi Village (including Survey Nos. 23, 24 and 25) vested with the Government of Karnataka.

Title flow specific to Survey No. 23/1 measuring 29 Guntas, 23/3 and 23/4

- 4.27 We note that the land bearing Survey No. 23/1 measuring 29 Guntas (hereinafter referred to as **Item No.3**), Survey No. 23/3 measuring 11 Guntas (hereinafter referred to as **Item No. 4**) and Survey No. 23/4 measuring 13 Guntas (hereinafter referred to as **Item No. 5**). Survey No. 23/3 and 23/4 are carved out of the land bearing Survey No. 23/2 measuring 29 Guntas. Further we note Survey No. 23/1 and 23/2 are formed out of larger portion of the land bearing Survey No. 23 measuring 1 Acre 18 Guntas.
- 4.28 One Mr. Talwar Gundappa (son of Dodda Changappa) along with Mr. Chikka Channagappa had filed Case No. 21 of 1958-59 against Mr. Y. C. Bajjappa Jodidar in the office of Special Amildar for Abolition of Inams, Devanahalli District seeking to register Survey Nos. 23 measuring 1 Acre 18 Guntas along with other 3 survey numbers in his name. On perusal of the deposition we note that the land bearing Survey No. 23 measuring 1 Acre 18 Guntas and other 3 survey numbers were talwar service inam lands and was held by Mr. Talwar Gundappa and his uncle, hence requests to register the khata in respect of Survey No. 23, 22, 17 and 137/1 is their names jointly.
- 4.29 The Special Amildar for Abolition of Inams, Devanahalli District vide Order dated 29.11.1958 (**Document No. 25**) registered the land bearing Survey No. 23 measuring 1 Acre 18 Guntas along with other properties in the name of Mr. Talwar Gundappa under the provision of Section 8 of the Act and further allowed to enjoy the same so long as he performs the duties in the village as per the tenure of the grant.
- 4.30 Further we note that Special Deputy Commissioner for Inam Abolition has ordered to register Mr. Talwar Gundappa as an occupant under Section 8 of the Act.
- 4.31 We have been provided with the Register VIII and Endorsement dated 18.12.1958 issued by Special Deputy Commissioner (**Document Nos. 26, 27**) recording Mr. Talwar Gundappa as an occupant to Survey No. 23 measuring 1 Acre 18 Guntas.
- 4.32 Further we note that the land bearing Survey Nos. 17, 22, 23 and 137 is Talwar service inam, hence Mr. Narayanappa, Mr. Makkalingappa and Mr. Muniyappa (all sons of Late Mr. Chikka Chennagappa) have made an application seeking to regrant the lands in their favour.
- 4.33 The Tahsildar, Devanahalli Taluk vide Order dated 31.05.1982 passed in Case No. HOA 141/78-79 regranted the land bearing Survey No. 23 measuring 29 Guntas to Mr. Narayanappa, Mr. Makkalingappa and Mr. Muniyappa (all sons of Late Mr. Chikka Chennagappa) and 29 Guntas in Survey No. 23 to Mr. Talwar Gundappa along with other survey numbers (not pertaining to Schedule Property) under Section 5/6 of the Karnataka Village Offices Abolition Act, 1961, subject to the condition of non-alienation the land for a period of 15 years (**Document No.28**).
- 4.34 Entry No. RR No. 1057 and 1061 made in the Record of Rights (**Document No.29 & 30**) records the Order dated 21.04.1981 in Case No. HOA 141/1978-79 passed by the Tahsildar and the khata in respect of Survey No. 23 measuring 29 Guntas got mutated to the name of Mr. Gundappa and khata in respect of remaining extent measuring 29 Guntas in Survey No. 23 got mutated to the names of Mr. Narayanappa, Mr.

Makkalingappa and Mr. Muniyappa (all sons of Late Mr. Chikka Chennagappa) respectively.

Title flow to Survey No. 23/1 measuring 29 Guntas (Item No. 3)- Mr. Gundappa's portion

- 4.35 Thereafter, Mr. Gundappa along with his sons viz., Mr. Patalappa and Mr. Muniyappa (since minor was represented by natural guardian Mr. Gundappa) have entered into Panchayat Parikat amongst themselves, whereunder Mr. Patalappa was allotted an extent of 1 Acre 19 ½ Guntas in Survey No. 23/1, the same is evidenced from the Entry No. MR 52/1984-85 made in the Mutation Register (**Document No.31**). The said Mutation Entry was rectified vide Entry No. MR 37/1984-85 stating that the land allotted to Mr. Patalappa in Survey No. 23 is 29 ½ Guntas (**Document No.32**).

We have not seen the Panchayat Parikat, however, the requirement of the same is dispensed with as we have relied on the Mutation Register entries. Further we note that Mr. Patalappa was allotted an additional land of ½ gunta however, the land dealt by Mr. Patallappa subsequently is only 29 Guntas, hence same can be disregarded.

- 4.36 After the demise of Mr. Gundappa, his son Mr. Patallappa has made an application seeking permission to alienate the land bearing Survey No. 23/1 measuring 29 Guntas. The Tahsildar vide Endorsement bearing No. HOA/CR/45/21-22 dated 05.02.2022 (**Document No.33**) granted permission to alienate the land bearing Survey No. 23/1 measuring 29 Guntas, as the condition of 15 non-alienation period has been lapsed, hence the land can be alienated.

- 4.37 We have been provided with the Affidavit dated 11.08.2014 sworn by Mr. Patalappa recording the names of family members of Mr. Gundappa (**Document No.34**) viz.,

- (i) Mr. Gundappa (demised) was married to Mrs. Kempamma (demised) and have 5 children viz., Mrs. Akkayamma, MRs. Chikkamuniyamma, Mr. Patalappa, Mr. Muniyappa, Mrs. Poojamma;
- (ii) Mr. Patalappa was married to Mrs. Channamma and have 3 children Mr. Narasimha, Mrs. Triveni, Mr. Thimmaraju
- (iii) Mr. Muniyappa was married to Mrs. Anasuyamma and have 4 children viz., Mr. Gangaraju, Mr. Manjunath, Mr. Harish and Mrs. Pavithra;

We note that in Agreement of Sale Dated 03.02.2017 and subsequent sale deeds that Mr. Narasimha is recorded as Mr. Narasimhaswami.P and Mr. Gangaraju as Gajendra, it is necessary to procure affidavit confirming that both are one and the same.

- 4.38 We have been provided with the Affidavit dated 10.01.2014 sworn by Mr. Patalappa recording the names of his family members (**Document No.35**) viz.,

- (i) Mr. Patalappa was married to Mrs. Channamma and have 3 children Mr. Narasimha, Mrs. Triveni, Mr. Thimmaraju;

- (ii) Mr. Narasimha was married to Mrs. Ashwini and have 2 children Mahesh and 1 daughter (unnamed)
- 4.39 Mr. Patalappa (son of Late Mr. Gundappa) along with his family members viz., Mrs. Channamma, Mr. Narasimhaswami. P, Mrs. Triveni, Mr. Thimmaraju mortgaged the land bearing Survey No. 23//1 measuring 29 Guntas in favour of Oriental Bank of Commerce under the Mortgage Deed of Agricultural land dated 26.09.2013 (registered as Document No. DNH-1-05044-2013-14 stored in CD No. DNHD347 in the office of the Sub Registrar, Devanahalli) (**Document No.36**). Entry No. MR T16/2013-14 made in the Mutation Register (**Document No.37**) records the aforementioned mortgage deed.
- 4.40 However, the said mortgage has been discharged vide Discharge Deed dated 21.02.2014 (registered on 25.02.2014 as Document no. DNH-1-09699-2013-14 stored in CD No. DNHD372 in the office of the Sub Registrar, Devanahalli) (**Document No.38**). Entry No. MR T8/2014-15 made in the Mutation Register (**Document No.39**) records the aforementioned discharge deed.
- 4.41 Mr. Patalappa (son of Late Mr. Gundappa) along with his family members viz., Mrs. Channamma, Mr. Narasimhaswami. P, Mrs. Triveni, Mr. Thimmaraju, agreed to convey Survey No. 23/1 measuring 29 guntas to Mr. L. Gopinath under the Agreement of Sale Dated 03.02.2017 (registered as Document No. DNH-1-10003-2016-17 stored in CD No. DNHD628 in the office of the Sub Registrar, Devanahalli) (**Document No.40**)
- 4.42 Thereafter, an Agreement to Sell dated 09.11.2023 (DNH-1-10530-2023-24 in the office of the Sub Registrar, Devanahalli) (**Document No.41**) was executed by Mr. Patalappa (son of Late Mr. Gundappa) along with his family members viz., Mrs. Channamma, Mr. Narasimhaswami.P representing himself and his minor children viz., Mahesh and Brunda, Mrs. Triveni, Mr. Thimmaraju, Mr. Muniyappa, Mrs. Anusuyamma, Mr. Gajendra M representing himself and his minor sons Thiloam and Kshamith, Mr. Manjunath representing himself and his minor daughter Ms. Kshama, Mr. Harish M, Mrs. Pavithra M, Mr. L. Gopinath agreeing to convey the land bearing Survey No. 23/1 (old Survey No. 23) measuring 29 Guntas in favour of M/s. Merusri Developers (represented by its Managing Partner Mr. M. Venkatreshwara Reddy)
- 4.43 We have been provided with the General Power of Attorney dated 09.11.2023 registered as Document No. DNH-4-00806-2023-24 in the office of the Sub Registrar, Devanahalli (**Document No.42**) executed by Mr. Patalappa (son of Late Mr. Gundappa) along with his family members viz., Mrs. Channamma, Mr. Narasimhaswami.P representing himself and his minor children viz., Mahesh and Brunda, Mrs. Triveni, Mr. Thimmaraju, Mr. Muniyappa, Mrs. Anusuyamma, Mr. Gajendra M representing himself and his minor sons Thiloam and Kshamith, Mr. Manjunath representing himself and his minor daughter Ms. Kshama, Mr. Harish M, Mrs. Pavithra M nominating M/s. Merusri Developers as their attorney to do all acts, deeds and things as specified therein including the power of alienate in respect of the land bearing Survey No. 23/1 measuring 29 Guntas.

4.44 Thereafter, Mr. Patalappa (son of Late Mr. Gundappa) along with his family members viz., Mrs. Channamma, Mr. Narasimhaswami.P representing himself and his minor children viz., Mahesh and Brunda, Mrs. Triveni, Mr. Thimmaraju, Mr. Muniyappa, Mrs. Anusuyamma, Mr. Gajendra M representing himself and his minor sons Thiloeram and Kshamith, Mr. Manjunath representing himself and his minor daughter Ms. Kshama, Mr. Harish M, Mrs. Pavithra M (all represented by GPA M/s. Merusri Developers) conveyed the land bearing Survey No. 23/1 measuring 29 Guntas in favour of M/s. Merusri Developers (represented by its Managing Partner Mr. M. Venkatreshwara Reddy) under the Sale Deed dated 19.01.2024 (registered as Document No. DNH-1-14739-2023-24 in the office of the Sub Registrar, Devanahalli) **(Document No.43)**.

4.45 We note that the family members of Late Mr. Gundappa viz., Mrs. Akkayamma (daughter of Late Mr. Gundappa), Mrs. Poojamma (daughter of Late Mr. Gundappa), Mr. Narayanaswamy, Mrs. Sowbhagya, (children of Late Mrs. Chikka Muniyamma, daughter of Late Mr. Gundappa), Mrs. Usha V. M. representing herself and her daughters viz., Miss Diksha and Miss Divya executed the registered Confirmation Deed dated 06.02.2024 (registered as Document No. DNH-1-15931-2023-24 in the office of the sub registrar, Devanahalli) **(Document No.44)** in favour of M/s. Merusri Developers, whereby confirming the execution of sale deed dated 19.01.2024 (Document No. 14739-2023-24) and confirms the right, title and interest over the Survey No. 23/1 measuring 29 guntas in favour of M/s. Merusri Developers.

4.46 In the aforementioned manner, M/s. Merusri Developers is the owner of the land bearing Survey No. 23/1 measuring 29 Guntas..

Title flow to Survey No. 23/3 measuring 11 Guntas (Item No. 4) and 23/4 measuring -13 Guntas (Item No. 5) – Mr. Narayanappa, Mr. Makkalingappa and Mr. Muniyappa's portion

4.47 As referred above in Paragraph 4.33, we note that Mr. Narayanappa, Mr. Makkalingappa and Mr. Muniyappa (all sons of Late Mr. Chikka Chennagappa) were regranted the land in Survey No. 23 measuring 29 Guntas vide Order dated 31.05.1982 passed in Case No. HOA 141/78-79.

4.48 Mr. Narayanappa demised on 05.06.2006, as evidenced from the Death Certificate **(Document No.45)**.

4.49 Entry No. IHC 20/2012-13 made in the Inheritance Certificate and Entry No. MR 21/2012-13 made in the Mutation Register **(Document Nos.46 & 47)** records the demise of Mr. Narayanappa on 15.06.2006, Mr. Makkalingappa on 20.04.1999 and Mr. Muniyappa on 13.08.2006. the khata in respect of the land bearing Survey No. 23 measuring 29 Guntas was mutated to their legal heirs ie., Mr. N. Munirajappa (son of Late Mr. Narayanappa), Mr. Nagaraj (son of Mr. Muniyappa) and Mr. Chikka Changappa (son of Mr. Makkalingappa).

We note that the date of death of Mr. Narayanappa was erroneously records as 15.06.2006 in the IHC 20/2012-13, however, same can be disregarded as we have relied on the death certificate.

- 4.50 We note from the RTCs that the land bearing Survey No. 23 measuring 1 Acre 18 Guntas has been sub-divided into 2 portions viz., Survey No. 23/1 measuring 29 Guntas and Survey No. 23/2 measuring 29 Guntas.
- 4.51 Mr. G. Muniyappa (son of Late Mr. Gundappa), Mr. N. Munirajappa (son of Late Mr. Narayanappa) Mr. Nagaraj (son of Mr. Muniyappa) and Mr. Chikka Changappa (son of Mr. Makkalingappa) have partitioned the land bearing Survey No. 23/2 measuring 29 Guntas along with various properties under the Partition Deed dated 29.11.2014 (registered as Document No. DNH-1-07077-2014-15 stored in CD DNHD468 in the office of the Sub Registrar, Devanahalli) (**Document No.48**). Under the partition, Mr. N. Munirajappa was allotted with the land bearing Survey No. 23/2 measuring 29 Guntas as his share with various other properties.
- 4.52 Entry No. MR H14/2014-15 made in the Mutation Register (**Document No.49**) records the Partition Deed dated 29.11.2014 and grants permission to change khata in respect of the land bearing Survey No. 23/2 measuring 29 Guntas to Mr. N. Munirajappa (son of Late Mr. Narayanappa).
- 4.53 We have been provided with the Affidavit dated 15.02.2021 sworn by Mr. N. Ravikumar recording the genealogical tree of Mr. Narayanappa (**Document No.50**) viz.,
- 4.1.1 Mr. Narayanappa (demised) was married to Mrs. Munirajamma (demised) and have 5 children viz., Ravikumar N, Mr. Munirajappa N, Mr. Thimmaraya Swamy N, Mr. Suresh and Mr. Subramani;
 - 4.1.2 Mr. Ravikumar N is married to Mrs. Gowramma and have 3 children viz., Mrs. Ganasree, Mrs, Gangothi and Mr. Naveen Kumar;
 - 4.1.3 Mr. Munirajappa N is married to Mrs. Mamatha and have 2 children viz., Mr. Pranav Raju and Miss Gananthu;
 - 4.1.4 Mr. Thimmaraya Swamy N married to Mrs. Sujatha and have 2 children viz., Shashank and Shreya;
 - 4.1.5 Mr. Subramani is married to Sudha and have 2 children viz., Master Dhavan and Miss Pavani
- 4.54 One of the son of Late Mr. Narayanappa viz., Mr. Thimmaraya Swamy N has filed a partition suit in O.S. 225/2016 against Mrs. Munirajamma, Mr. Ravikumar, Mr. Munirajappa, Mr. Suresh and Mr. Subramani in the Court of Senior Civil Judge and JMFC Devanahalli seeking partition and separate possession of the suit schedule property. The Plaintiff and Defendants jointly filed compromise petition under Order 23 Rule 3 of CPC and the same is allowed vide Order dated 19.07.2019 (**Document No.51**). further the suit is decreed in terms of compromise petition and the compromise petition shall be part and parcel of the final decree.
- 4.55 As per the terms of compromise petition in Compromise petition and Final Decree (**Document Nos.52 & 53**), Mr. Ravikumar is allotted a portion of 13 Guntas in Survey

no. 23/2, Mr. Suresh is allotted a portion 11 Guntas in Survey no. 23/2 and Mr. N. Subramani is allotted a portion 5 Guntas in Survey no. 23/2.

- 4.56 The land bearing Survey No. 23/2 measuring 29 Guntas has been sub-divided into 3 portions viz., Survey No. 23/2 measuring 5 Guntas held by Mr. N. Subramanya (son of Late Mr. Narayanappa), Survey No. 23/3 measuring 11 Guntas held by Mr. N. Suresh (**Item No. 4**), Survey No. 23/4 measuring 13 Guntas held by Mr. Ravikumar (**Item No. 5**), the same is evidenced from Entry No. MR T36/2019-20 made in the Mutation Register (**Document No.54**)
- 4.57 Mr. Ravi Kumar N (son of Late Mr. Narayanappa) (i) Naveen Kumar and (ii) Gangothri (minor children are represented by their father Mr. N. Ravikumar), Mr. N. Suresh, Mr. M. Subramani representing himself and his minor children viz., Dhavan and Pavani jointly agreed to convey the land bearing Survey No. 23/2 measuring 5 Guntas, Survey No. 23/3 (old Survey No. 23/2) measuring 11 Guntas and Survey No. 23/4 (old Survey No. 23/2) measuring 13 Guntas in favour of Mr. L. Gopinath (son of Mr. Lakshminarayanappa) and Mr. Praveen Kumar (son of Mr. Madanlal) under the Agreement of Sale dated 24.03.2021 (registered on 15.10.2022 as Document No. DNH-1-10582-2020-21 stored in CD No. DNHD1241 in the office of the Sub Registrar, Devanahalli) (**Document No.55**).
- 4.58 Mr. Ravi Kumar N (son of Late Mr. Narayanappa) along with his wife Mrs. Gowramma and children (i) Ganashree, (ii) Naveen Kumar and (iii) Gangothri (minor children (ii) and (iii) are represented by their father Mr. N. Ravikumar) jointly conveyed Item No. 5 in favour of Mr. L. Gopinath under the Sale Deed dated 14.10.2022 (registered as Document No. DNH-1-8737-2022-23 stored in CD No. DNHD1650 in the office of the Sub Registrar, Devanahalli) (**Document No.56**). We note that Mr. Praveen Kumar is included as Consenting witness to the sale deed.
- 4.59 Mr. Suresh N (son of Late Mr. Narayanappa) along with his wife Mrs. Shylaja jointly conveyed Item No. 4 in favour of Mr. L. Gopinath under the Sale Deed dated 14.10.2022 (registered as Document No. DNH-1-8739-2022-23 stored in CD No. DNHD1650 in the office of the Sub Registrar, Devanahalli) (**Document No.57**). We note that Mr. Praveen Kumar is included as Consenting witness to the sale deed.
- 4.60 Thereafter, Mr. L. Gopinath (son of Late Mr. Lakshminarayanappa) had entered into Joint Development Agreement dated 21.06.2023 (registered as Document No. DNH-1-03144-2023-24 in the office of the Sub Registrar, Devanahalli) (**Document No.58**) with M/s. Merusri Developers (represented by its Managing Partner Mr. Venkateswara Reddy) with respect to Survey Nos. 13/1 measuring 1 Acre (excluding 16 Guntas kharab land), Survey No. 13/2 measuring 11 Guntas (excluding 2 Guntas kharab land), Survey No. 23/3 measuring 11 Guntas, Survey No. 23/4 measuring 13 Guntas, Survey No. 25/3 measuring 27 Guntas and Survey No. 24/1 measuring 2 Acres 2 Guntas totally measuring 4 Acres 24 Guntas (excluding 18 Guntas of kharab land) to develop the lands into residential layout.

- 4.61 Pursuant to the Joint Development Agreement, General Power of Attorney dated 21.06.2023 (registered as document No. DNH-4-00225-2023-24 in the office of the Sub Registrar Devanahalli) (**Document No.59**) was executed by Mr. L. Gopinath nominating M/s. Merusri Developers as his attorney to do all acts, deeds and things as specified therein. The said JDA and GPA has been cancelled vide Cancellation of JDA dated 09.11.2023 (registered as Document No. DNH-1-10517-2023-24 in the office of the Sub Registrar Devanahalli and Cancellation of GPA dated 09.11.2023 (registered as Document No. DNH-4-00804-2023-24 in the office of the Sub Registrar Devanahalli)
- 4.62 Thereafter Mr. L. Gopinath conveyed the Item No. 4 and 5 along with Survey No. 13/1 measuring 1 Acre 16 guntas (including 16 Guntas of kharab), Survey No. 13/2 measuring 11 Guntas and 2 Guntas of kharab land) and Survey No. 25/3 measuring 27 guntas in favour of Mr. C. Divakara Reddy (son of Late Mr. C. Muthyal Reddy) under the Sale Deed dated 09.11.2023 (registered as Document No. DNH-1-10515-2023-24 in the office of the Sub Registrar, Devanahalli)
- 4.63 In the aforementioned manner, Mr. C. Divakara Reddy (son of Late Mr. C. Muthyal Reddy) is the holder of the land bearing Survey Nos. 23/3 measuring 11 Guntas (Item No. 4) and Survey No. 23/4 measuring 13 Guntas (Item No. 5).

Title flow in respect Survey No. 24/1 measuring 2 Acre 2 Guntas (Item No. 6)

- 4.64 On perusal of the documents, we note that the land bearing Survey No. 24/1 measuring 2 Acres 2 Guntas (**Item No. 6**) has been formed out of the larger extent of land bearing Survey No. 24 measuring 5 Acres 4 Guntas. And the land bearing Survey No. 25/3 measuring 27 guntas (**Item No. 7**) was formed out of the land bearing Survey No. 25/1 measuring 2 Acre 26 Guntas (including 8 Guntas). Survey No. 25/1 measuring 2 Acre 26 Guntas (including 8 Guntas) was formed out of the larger extent of Survey No. 25 measuring 5 Acre 4 Guntas (including 8 Guntas of kharab).
- 4.65 We note from the Extract of Index of Land issued in respect of Survey No. 24 measuring 5 Acres 4 Guntas and Survey No. 25 measuring 5 Acre 4 Guntas that one Mr. Jodi Channappa was the initial holder of the land. Entry No. RR 475 and 476 made in the Record of rights (**Document Nos. 60 to 63**), records that after the demise of Mr. Jodidar Yajaman Channappa, the khata in respect of the land bearing Survey No. 24 and 25 was mutated to the name of his son Mr. Y.C. Bajjappa vide., Entry No. IHR 91/1956-57 made in the Inheritance Register.
- 4.66 Further, we have not been provided with the register VIII and Entry No. IHR 91/1956-57 made in the Inheritance Register. However, we have been provided with Endorsement bearing No. RK CR 119-2021-22 dated 08.08.2021 issued by Tahsildar, Devanahalli (**Document No. 64**) to the effect that Form VIII, IHR 91/1956-57 issued in respect of Survey Nos. 24/1 and 25/3 are in dilapidated condition, hence same are not available.

We have not been provided with the regrant order, and Endorsement issued in respect of Survey No. 24.

- 4.67 We note Mr. Y. C. Bajjappa having inherited the land bearing Survey No. 24 measuring 5 Acres 4 Guntas, conveyed to various parties under several sale deeds. The same are detailed below:
- 4.67.1 Mr. Y.C. Bajjappa (son of Mr. Yajaman Channappa) conveyed the land measuring 35 Gunta in Survey No. 24 and 25 in favour of Mr. M. Rama Pandit (son of Mr. Muttur Annaiah Pandit) under the Sale Deed dated 16.01.1958 (registered as Document No. 2697/1957-58 of Book I Volume 735 at Pages 149 to 150 in the office of the Sub Registrar,) (**Document No. 65**).
- 4.67.2 Mr. Bajappa (Mr. Chinappa) conveyed the portion of land measuring 1 Acre 30 guntas in Survey No. 24 and 25 in favour of Mrs. Mallama (wife of Mr. Narahari bhatta) and Mrs. Ashwathalakshamma (wife of Mr. Gopalabhatta) under the Sale Deed dated 16.01.1958, registered as 20.1.1958, on Document No. 2698 of Book I, Volume 714 at Pages 3 to 5 in the office of the Sub Registrar, Bengaluru (**Document No. 66**).
- 4.67.3 Mr. Bajjappa (son of Mr. Channappa) sold the land measuring 8 Acre 20 Guntas in favour of Mr. Chikka Muniyappa (son of Mr. Kempanna) under the Sale Deed dated 04.11.1957 (registered on 13.11.1957 as Document No. 1989, of Book I, Volume 711 at Pages 102-104 in the office of the Sub Registrar) (**Document No. 67**). Further the khata in respect of Survey no. 24 measuring 2 Acres 7 Guntas and Survey No.25/1 measuring 1 Acre 31 Guntas got mutated to the name of Mr. Chikka Muniyapa vide Entry No. MR 15/1994-95 made in the Mutation Register (**Document No. 68**) in respect of.
- 4.67.4 Further as per the recitals of Sale deed dated 14.10.1985, we note that a portion of land in Survey Nos. 24 and 25/1 has been acquired by Mr. Rama Pandit under the Sale Deed dated 24.09.1958, registered as Document No. 1844 of Book I, volume 735 Pages 67-68). *We have not been provided with the Sale Deed dated 24.09.1958. Since the said sale deed is prior to 60 years, we have relied on the recitals of the Sale Deed dated 14.10.1985 and the requirement of the sale deed is dispensed with.*
- 4.68 Thereafter, Mr. M. Rama Pandit (son of Mr. Muttur Annaiah Pandit) conveyed a portion of the land bearing Survey No. 24 measuring 25 Guntas and 25/1 measuring 10 Gunta in favour of Mr. Chikka Muniyappa (son of Mr. Kempanna) under the Sale Deed dated 14.10.1985 (registered as Document No.797/1985-86 of Book I, Volume 1320 at Pages 224-227 in the office of the Sub Registrar.). Entry No. MR 6/1985-86 made in the Mutation Register (**Document Nos. and 70**) records the aforementioned sale deed and grants permission to change the khata in respect of the land bearing Survey No. 24 measuring 25 Guntas, Survey No. 25/1 measuring 10 Guntas in the name of Mr. Chikka Muniyappa.
- 4.69 Mrs. Ashwathalakshamma (wife of Mr. Gopalabhatta) conveyed a portion of the land bearing Survey Nos. 24 and 25 both measuring 1 Acre 30 Guntas in favour of Mr. Chikka Muniyappa (son of Mr. Kempanna) under the Sale Deed dated 25.09.1974

(registered as Document No. 4244/1974-75 of Book I, Volume 1161 at Pages 115 to 117 in the office of the Sub Registrar) (**Document No. 71**). We note Mrs Mallamma has been included as consenting witness to the execution of the sale deed. Pursuant to the sale deed, the khata in respect of Survey No. 24 measuring 1 Acre 13 Guntas and Survey No. 25 measuring 17 Guntas got mutated to the name of Mr. Chikkamuniyappa vide Entry No. MR 17/1994-95 made in the Mutation Register (**Document No. 72**).

- 4.70 In the aforementioned manner, Mr. Chikka Muniyappa has acquired title to Survey No. 24 measuring 4 Acre 5 Guntas and Survey No. 25 measuring 2 Acre 8 Guntas. *We have not seen any documents with respect to the remaining extent of land. However, we are concerned with the portion of land measuring 2 Acres 2 guntas in Survey No. 24 and 27 Guntas in Survey No. 25. Hence the requirement of title to remaining extent is not necessary.*
- 4.71 We have been provided with the Family affidavit dated 28.11.2016 sworn by Mr. Subbarayappa reflecting the names of Mr. Chikka Muniyappa family members viz.,
- (i) Mr. Chikka Muniyappa (demised) married to Mrs. Kempamma (demised) and have 9 children viz., Mr. Kempanna, Mr. Subbarayappa, Mrs. Muniyamma, MRs. Sharadamma, Mrs. Rathnamma, Mrs. Gowramma, Mrs. Yashodamma, Mr. Veeranna, Mr. Chandrashekar,
 - (ii) Mr. Subbarayappa is married to Mrs. Rajamma and have 3 children viz., Mr. Prakash, Mrs. Pavithra and Mr. Prabhakar.
 - (iii) Mr. Veeranna is married to Mrs. Manjamma and have 2 children viz., Mr. Chethan Gowda and Miss Impana
 - (iv) Mr. Chandrashekar is married to Mrs. Mamatha and have 2 children viz., Shashi Kumar and Abhishek.
- 4.72 Entry No. IHC 300/1994-95 made in the Inheritance Certificate and Entry No. MR 27/1994-95 made in the Mutation Register (**Document No. 73**) records the demise of Mr. Chikkamuniyappa. The khata in respect of Survey No. 24 measuring 1 Acre 38 Guntas and Survey No. 25/1 measuring 27 Guntas got mutated to the names of his son Mr. Subbarayappa.
- 4.73 Further we note that the children of Mr. Kempanna viz., Mr. Subbarayappa (son of Mr. Chikka Muniyappa, (son of Mr. Kempanna), Mr. Munikalappa (son of Mr. Kempanna), Mr. Krishnappa (son of Mr. Muniyappa, son of Mr. Kempanna) have entered into Panchayat Parikat amongst themselves, under the said partition Mr. Krishnappa, Mr. Nagesh, Mr. Manjunath, Mr. Subramanya jointly were allotted 4 Guntas in Survey No. 24 and Survey No. 25/1 measuring 1 Acre 31 Guntas along with other properties and Mr. Subbarayappa was allotted an extent of 1 Acre 3 Guntas in Survey No. 24 along with other properties. The same is evidenced from Entry No. 48/1994-95 made in the Mutation Register (**Document No. 74**)
- 4.74 Entry No. MR H23/2012-13 made in the Mutation Register (**Document No.75**) records that pursuant to the Order dated RRT (dis)CR:27/11-12, the khata in respect of

Survey No. 24 measuring 2 Acre 2 Guntas was mutated to the name of Mr. Subbarayappa.

We have not been provided with the Order dated RRT (dis)CR:27/11-12 Since the said order is reflected in the aforementioned Mutation Register we have dispensed with the requirement of the same.

- 4.75 Entry No. MR T13/2015-16 made in the Mutation Register (**Document No. 76**) records the sub-division of the land into 5 portions viz., Survey No. 24/1 to 24/5. Survey No. 24/1 measuring 2 Acres 2 Guntas (ie., **Item No. 6**) held by Mr. Subbarayappa.
- 4.76 Entry No. MR T26/2016-17 made in the Mutation Register (**Document No. 77**) records sub-division and renumbering of the land bearing Survey No. 25/1 measuring 2 Acre 26 Guntas (including 8 Guntas kharab) into Survey No. 25/1 measuring 1 Acre 39 Guntas held by Mr. Ajay Singh and Survey No. 25/3 measuring 27 Guntas (**Item No. 7**) held by Mr. Subbarayappa.
- 4.77 Mr. Subbarayappa (son of Mr. Chikka Muniyappa) agreed to convey the land bearing Item No. 6, Item No. 7 and Survey No. 13/1 measuring 1 Acres 16 guntas (including 16 Guntas of kharab land), Survey No. 13/2 measuring 13 Guntas (including 2 Guntas of kharab land) in favour of Mr. D. S. Nagaraju (son of Mr. D. C. Subbarayappa) under the registered Agreement to Sell dated 17.05.2016 (registered as Document No. DNH-1-01376-2016-17 stored in CD No. DNHD596 in the office of the Sub Registrar, Devanahalli) (*as documented in the Survey No. 13*).
- 4.78 On demise of Mr. D. S Nagaraju his family members viz., 1) Mr. D C Subharayappa; 2) Mrs. Lakshamma; 3) Mrs. Vijayalakshmi; 4) Mrs. Nagarathna and 5) Manjula M (both wives of Mr. D. S Nagaraju); and their children 6) Mr. Sumanth D.A. 7) Mr. Rakshith DS; 8) Ms. Jahnavi D. S 9) Ms. Pallavi. D have cancelled the aforementioned agreement in terms of Deed of Cancellation dated 29.04.2021, registered on 30.06.2021, as Document No. DNH-1-01651-2021-22, in Book I, stored in CD No. DNHD1293, in the office of Senior Sub-Registrar, Devanahalli (**Document No. 78**).

[AL Note: We have not been provided with Death Certificate of Mr. DS Nagaraju and genealogical tree of Mr. DS Nagaraju. We have been informed that the same is not available and have relied on the aforementioned deed. Further, we note that all the legal heirs have participated and we recommend obtaining an indemnity in the absence of the Death Certificate and Genealogical tree.]

- 4.79 Release Deed dated 28.11.2016 (registered as Document No. DNH-1-08346-2016-17 stored in CD No. DNHD623 in the office of the Sub Registrar, Devanahalli) (**Document No. 79**) executed by Mrs. Rathamma, Mrs. Yashodamma, Mrs. Muniyamma (all daughters of Mr. Chikka Muniyappa) in favour of Mr. Kempanna, Mr. Subbarayappa, Mr. Chandrashekar, Veeranna, (all sons of Mr. Chikka Muniyappa), whereby releasing their right, title and interest over Item No. 6 and various other properties (not form part of the Schedule Property). further we note that Mrs.

Rathnamma, Mrs. Yashodamma, Mrs. Muniyamma have received Rs. 5,00,000/- each on execution of this release deed.

4.80 We note that the family members of Late Mr. Munishamappa (son of Mr. Kempanna) viz., Mrs. Muniakkayamma and Mrs. Manjula have filed a partition suit bearing No. O.S. 436/2018 filed in the Court of Senior Civil Judge, Devanahalli against the family members of Late Mr. Chikka Muniyappa viz., Mrs. Kempamma, Mrs. Kempanna, Mr. Subrayappa, Mrs. Muniyamma, Mrs. Subbarathnamma, Mrs. Sharadamma, Mrs. Gowramma, Mr. Veeresh, Mr. Chandrappa, Mrs. Yashodamma, along with other family members of Kempaiah @ Kempanna viz., Munikalappa, Mr. Subramani, Mr. Rajanna, (both sons of Mr. Munikalappa), Pillamuniyamma (daughter of Late Mr. Kempanna @Kempaiah), Mr. Krishnappa, Mrs. Susheelamma, Mrs. Sunandamma, Mrs. Neelamma, Mr. Nagesh Mr. Manjunath, Mr. Subramani (all children of Mrs. Pillamuniyamma), Mr. K. Ramababu, Mr. D. S. Nagaraja, Mrs. Kalpana Raghuram, Mr. Remond Rojariya, **Mr. L. Gopinath**, Mr. Ajay Singh and Mr. B. S. Panduranga Singh seeking partition and 1/4th share in the suit schedule properties (including Item No. 6 and Item No. 7). The grounds of contention are as follows:

- (i) It is submitted that one Mr. Kempaiah @ Kempanna is the prepositor of the joint family and he has 6 children viz., Mr. Doddamuniyappa (demised), Mr. Chikka Muniyappa (demised), Mr. Munikalappa, Mr. Munivenkatappa (demised) (unmarried), Mr. Munishamappa (demised) *has no male issues*, Mr. Muniyappa (demised).
- (ii) It is submitted that the Plaintiffs and Defendant 1 to 21 are the joint family members by Mitakshara School of Hindu Law and are in joint possession and enjoyment of the suit schedule property and till then had not made partition between themselves by metes and bounds.
- (iii) Further submits that Defendant 1 to 21 have no exclusive right over the suit schedule properties and any manner of right, title and interest over the same.
- (iv) Further contends that Defendant 1 to 21 have colluded with each other and have executed sale deed in favour of Defendant 22 to 28, Hence the suit.

We have been provided with the IA order dated 31.8.2019 wherein the I. A was filed under Order 6 Rule 17 of CPC seeking to amend the plaint by deleting the portion of property and some of the parties. The IA is allowed and Survey No.13/1 measuring 1 Acre and Survey No. 13/2 measuring 11 Guntas and Survey No. 24/1, measuring 2 Acre 2 Guntas is deleted.

4.81 We have been provided with the genealogical tree of Mr. Munishamappa (demised) reflecting the names of his family members duly authenticated by Village Accountant, Bommavara Circle (**Document No. 80**) viz., Mr. Munishamappa (demised) was married to Mrs. Muniakkayamma and have 1 daughter Mrs. Manjula.

4.82 However, we have been provided with the Confirmation Deed dated 30.04.2021 (registered on 01.07.2021 as Document No. DNH-1-01725-2021-22 stored in CD No.

DNHD1294) (**Document No. 81**) executed by, Mrs. Muniakkayamma, Mrs. Manjula, Mr. Akshay Y.P, Mr. Sudarshan Y. P in favour of Mr. Subbarayappa in respect of Item Nos. 6 and 7, whereby releasing their right, title and interest over the properties and also confirming that Mr. Subbarayappa has the absolute owner of the properties.

- 4.83 Mr. Kempanna (son of Late Mr. Chikka Muniyappa), Mr. Subbarayappa (son of Late Mr. Chikka Muniyappa), Mr. Prakash, Mrs. Pavithra and Mr. Prabhakar (children of Mr. Subbarayappa), Mrs. Muniyamma, Mrs. Rathnamma and Mrs. Yashodamma (all 3 daughters of Late Mr. Chikka Muniyappa), Mr. Veeranna (son of Late Mr. Chikka Muniyappa) representing himself and his minor children viz., Chethan Gowda and Eempana, Mr. Chandrashekar (son of Late Mr. Chikka Muniyappa) representing himself and his minor children Shashi Kumar and Abhishek executed the registered Sale Deed dated 28.11.2016 (registered as Document No. DNH-1-00839-2017-18 stored in CD No. DNHD638) (**Document No.82**) in favour of Mr. L. Gopinath (son of Late Mr. Lakshminarayanappa), whereby conveying Survey No. 25/3 (old Survey No. 25/1) measuring 27 guntas. Mr. D. S. Nagaraj was included as confirming party to the sale deed.
- 4.84 Entry No. MR H30/2016-17 made in the Mutation Register (**Document No. 83**) records the aforementioned sale deed and grants permission to change the khata in respect of Item No. 7 in favour of Mr. L. Gopinath (son of Late Mr. Lakshminarayanappa).
- 4.85 Further, Mrs. Sharadamma and Mrs. Gowramma (daughters of Mr. Chikka Muniyappa) have executed Deed of Confirmation dated 01.03.2018 (registered Document No. DNH-1-10214-2017-18 stored in CD No. DNHD661 in the office of the Sub Registrar, Devanahalli) (**Document No. 84**) in favour of Mr. L Gopinath, whereby confirming the execution of the sale deed dated 28.11.2016 (registered as Document No. DNH-1-00839-2017-18) in respect of Survey No. 25/3 (old Survey No. 25/1) measuring 27 Guntas.
- 4.86 Release Deed dated 01.03.2018 (registered as Document No. DNH-1-10215-2017-18 stored in CD No. DNHD661 in the office of the Sub Registrar, Devanahalli) executed by Mrs. Sharadamma and Mrs. Gowramma (daughters of Mr. Chikka Muniyappa) in favour of Mr. Kempanna, Mr. Subbarayappa, Mr. Chandrashekar, Veeranna, (all sons of Mr. Chikka Muniyappa), whereby releasing their right, title and interest over Item No. 6 and various other properties (not form part of the Schedule Property). further we note that Mrs. Rathnamma, Mrs. Yashodamma, Mrs. Muniyamma have received Rs. 11,00,000/- each on execution of this release deed (**Document No. 85**).
- 4.87 Mr. Kempanna (son of Late Mr. Chikka Muniyappa), Mr. Subbarayappa (son of Late Mr. Chikka Muniyappa), Mr. Prakash, Mrs. Pavithra and Mr. Prabhakar (children of Mr. Subbarayappa), Mrs. Muniyamma, Mrs. Rathnamma and Mrs. Yashodamma (all 3 daughters of Late Mr. Chikka Muniyappa), Mr. Veeranna (son of Late Mr. Chikka Muniyappa), Mr. Chethan Gowda and Impana.V, Mr. Chandrashekar (son of Late Mr. Chikka Muniyappa), Shashi Kumar and Abhishek (both children of Mr. Chandrashekar) executed the registered Sale Deed dated 29.04.2021 (registered as Document No. DNH-

1-02721-2021-22 stored in CD No. DNHD1314 in the office of the Sub Registrar, Devanahalli) (**Document No.86**) in favour of Mr. Manish Kumar (son of Mr. Vimal Chand G Jain), conveying Item No. 6.

Mr. D. C. Subbarayappa, Mrs. Lakshamma, Mrs. Vijayalakshmi (represented by their GPA holder Mr. Sumanth D. N), Mrs. Nagarathna, Mr. Sumanth D. N. Mrs. Rakshith D. N, Mrs. Manjula M representing herself and her minor daughters Jahnvi D and Pallavi D, Mrs. Muniakkayamma, Mrs. Manjula as confirming parties to the sale deed.

- 4.88 Entry No. MR T 15/2021-22 made in the Mutation Register (**Document No.87**) records that pursuant to the Order passed in RRT(D)447/2021, the names in the RTC has been rectified and recorded as Mr. Manish Kumar (son of Mr. Vimal Chand G Jain) as the holder of the land bearing Survey No. 24/1 measuring 2 Acre 2 Guntas.
- 4.89 Mr. Manish Kumar conveyed Item No. 6 in favour of Mr. L. Gopinath under the registered Sale Deed dated 21.06.2023 (registered as Document No. DNH-1-03141-2023-24 in the office of the Sub Registrar, Devanahalli) (**Document No. 88**).
- 4.90 Thereafter, Mr. L. Gopinath (son of Late Mr. Lakshminarayanappa) had entered into Joint Development Agreement dated 21.06.2023 (registered as Document No. DNH-1-03144-2023-24) with M/s. Merusri Developers (represented by its Managing Partner Mr. Venkateswara Reddy) with respect to Survey Nos. 13/1 measuring 1 Acre (excluding 16 Guntas kharab land), Survey No. 13/2 measuring 11 Guntas (excluding 2 Guntas kharab land), Survey No. 23/3 measuring 11 Guntas, Survey No. 23/4 measuring 13 Guntas, Survey No. 25/3 measuring 27 Guntas and Survey No. 24/1 measuring 2 Acres 2 Guntas totally measuring 4 Acres 24 Guntas (excluding 18 Guntas of kharab land) to develop the lands into residential layout.
- 4.91 Pursuant to the Joint Development Agreement, General Power of Attorney dated 21.06.2023 (registered as document No. DNH-4-00225-2023-24 in the office of the Sub Registrar Devanahalli) was executed by Mr. L. Gopinath nominating M/s. Merusri Developers as his attorney to do all acts, deeds and things as specified therein. The said JDA and GPA has been cancelled vide Cancellation of JDA dated 09.11.2023 (registered as Document No. DNH-1-10517-2023-24 in the office of the Sub Registrar Devanahalli and Cancellation of GPA dated 09.11.2023 (registered as Document No. DNH-4-00804-2023-24 in the office of the Sub Registrar Devanahalli) (JDA GPA and Cancellation deeds are documented in Survey No. 13/1 title flow).
- 4.92 Mr. L. Gopinath conveyed the Item No. 6 in favour of M/s. Merusri Developers (represented by its Managing Partner Mr. M. Venkateswara Reddy) under the registered Absolute Sale Deed dated 09.11.2023 (registered as Document No. DNH-1-10518-2023-24 in the office of the Sub Registrar, Devanahalli) (**Document No. 89**).
- 4.93 Thereafter Mr. L. Gopinath conveyed the Item No. 7 in favour of Mr. C. Divakara Reddy (son of Late Mr. C. Muthyal Reddy) under the Sale Deed dated 09.11.2023

(registered as Document No. DNH-1-10515-2023-24 in the office of the Sub Registrar, Devanahalli).

4.94 In the aforementioned manner, M/s. Merusri Developers (represented by its Managing Partner Mr. M. Venkateswara Reddy) came to hold Item No. 6 and Mr. C. Divakara Reddy (son of Late Mr. C. Muthyal Reddy) came to hold Item No. 7.

4.95 M/s. Merusri Developers (represented by its Managing Partner Mr. M. Venkateswara Reddy) and Mr. C. Divakara Reddy (son of Late Mr. C. Muthyal Reddy) (**Owners**) have entered into an unregistered Framework Agreement dated 27.12.2024 (**Document No. 90**) with M/s. Merusri Sunscape LLP (Developer), whereby the Developer shall develop the Schedule Property into a residential group housing project as row houses along with ancillary amenities and services. The key terms and conditions are as follows:

4.95.1 the Owners jointly and severally confirm and acknowledge that the Developer shall be liable to make payment of the share of revenue as set out below:

Landowner 1: Rs. 11 Crore

Landowner 2: Rs. 20 crore

Developer: all residuary amounts after payment to the Landowners revenue share/entitlement in the Project.

4.95.2 The parties agree that the Developer shall be entitled to raise third party finance and create mortgage on the security of the Project and Schedule Property for the purpose of making payments of the Landowners revenue shares and that upon payment thereof, the Landowners shall not be entitled to any further monies in the Project.

4.95.3 Provided, in the event of any change in the overall extent of Schedule Property being developed, the Revenues shall not be revised and will remain fixed as mentioned above.

[AL Note: *We recommend to procure the Joint Development Agreement and General Power of Attorney executed by M/s. Merusri Developers (represented by its Managing Partner Mr. M. Venkateswara Reddy) and Mr. C. Divakara Reddy (son of Late Mr. C. Muthyal Reddy) (**Owners**) with M/s. Merusri Sunscape LLP (Developer) prior to date of disbursement from Aditya Birla Housing Finance Limited].*

Company details

4.96 We have been provided with the Partnership Deed dated 10.04.2017 (**Document No. 91**) entered by and amongst Mr. Venkateshwara Reddy Madduri (son of Mr. Vengal Reddy Madduri) and Mrs. Maheswari Madduri (daughter of Mr. Malleswar Reddy Gangi Reddy) have expressed their desire to carry on the business of real estate in the name and style of “Merusri Developers”.

Clause 10 of Partnership deed records Borrowing: No partner shall without the consent of the other partners- mortgage, charge or assign his share in the assets or profits of the firm.

- 4.97 We have been provided with the Acknowledgement of Registration of Firms in Form C issued by the Registrar of Firms (**Document No. 92**) acknowledging the receipt of statement prescribed under Section 58(1) of Indian Partnership Act 1932. The statement is filed in the name of Merusri Developers on 15.04.2017 and in Register of Firms bearing No. Firm/GNR/31/2017-18.

5 REVENUE RECORDS AND ENDORSEMENTS:

- 5.1 Record of Rights Tenancy and Crops (RTCs) issued in respect of the land bearing Survey No. 13/1 measuring 1 Acre 16 Guntas (including 16 Guntas of kharab) for the years (**Document No.93**):

- 5.1.1 1968-69 to 1977-78, reflects Mr. Krishnamurty as the holder thereof. It refers to RR 229;
- 5.1.2 1983-84 to 1991-92, reflects Mr. Chikkamuniyappa as the holder. It refers to MR 5/1984-85 and RR153.
- 5.1.3 1993-94 to 2015-16 reflects Mr. Subbarayappa as the holders. It refers to MR 4/1994-95.
- 5.1.4 2016-17 to 2022-23 reflects Mr. L. Gopinath as the holder of the land. It refers to Entry No. MR H5/2016-17;
- 5.1.5 2023-24, 2024-25 reflects Mr. Divakar Reddy as the holder of the land. It referred to Entry No. T4/2022-23 and T6/2023-24.

- 5.2 Record of Rights Tenancy and Crops (RTCs) issued in respect of the land bearing Survey No. 13/2 measuring 13 Guntas (including 2 Guntas of B kharab) for the years (**Document No.94**):

- 5.2.1 1968-69 to 1977-78, 1984-85 to 1991-92 reflects Mr. M. Rama Pandit as the holder thereof. It refers to RR25
- 5.2.2 1993-94 to 2015-16 reflects Mr. Subbarayappa as the holders. It refers to MR 3/1994-95, 4/1994-95;
- 5.2.3 2016-17 to 2022-23 reflects Mr. L. Gopinath as the holder of the land. It refers to Entry No. MR H5/2016-17;
- 5.2.4 2023-24, reflects Mr. Divakar Reddy as the holder of the land. It referred to Entry No. H5/2023-24 and T4/2022-23.

- 5.3 RTCs issued in respect of Survey No. 23 measuring 1 Acre 18 Guntas for the years (**Document No. 95**)

- 5.3.1 1969-70 to 1972-73, 1973-74 to 1978-79 reflects as Talwar inam land.

- 5.3.2 1983-84 to 1987-88 reflects Mr. Gundappa (29 guntas), Mr. Narayanappa, Mr. Makkalingappa and Mr. Muniyappa (29 Guntas) as the holders of the land.
- 5.3.3 1988-89 to 1992-93, 1997-98 to 2001-02, 2002-03 to 2012-13 reflects Mr. Patalappa(29 guntas), Mr. Narayanappa, Mr. Makkalingappa and Mr. Muniyappa (29 Guntas) as the holders of the land. Mr. Gundappa was the erstwhile holder.
- 5.3.4 2013-14 reflects Mr. Patalappa(29 guntas), Mr. N. Munirajappa (son of Late Mr. Narayanappa), Mr. Nagaraj (son of Mr. Muniyappa) and Mr. Chikka Changappa (son of Mr. Makkalingappa) as the holder of the land. It refers to MR 52/1984-85 and MR. H21/2012-13

We have not been provided with the RTCs issued in respect of Survey No. 23 for the years 1979-80 to 1982-83, 1993-93 to 1996-97, the requirement is dispensed with as the land is converted into nonagricultural land.

- 5.4 RTCs issued in respect of Survey No. 23/1 measuring 29 Guntas for the years **(Document No. 96)**.
- 5.4.1 2013-14 to 2022-23 reflects Mr. Patalappa as the holder of the land, further refers to Mortgage deed with Oriental Bank of Commerce and MR T8/2014-15.
- 5.5 RTCs issued in respect of Survey No. 23/2 measuring 29 Guntas for the years **(Document No. 97)**.
- 5.5.1 2014-15 reflects Mr. N. Munirajappa (son of Late Mr. Narayanappa), Mr. Nagaraj (son of Mr. Muniyappa) and Mr. Chikka Changappa (son of Mr. Makkalingappa) as the holder of the land. It refers to MR. H21/2012-13
- 5.6 Record of Rights Tenancy and Crops (RTCs) issued in respect of the land bearing Survey No. 24 measuring 05 Acres 4 Guntas for the years **(Document No.98)**:
- 5.6.1 1969-70 to 1972-73 reflects as Mr. Y C. Bajjappa, Mr. Rama Pandit, Mr. Srinivasa Murthy, Mr. Chikka Muniyappa, Mr. Munikalappa, Mr. Muniyappa, as the holders;
- 5.6.2 1973-74 to 1977-78, 1978-79 to 1982-83 reflects Mr. Y.C. Bajjappa as the holder of the land.
- 5.6.3 1983-84 to 1987-88, 1988-89 to 1992-93 reflects Mr. Y. C. Bajjappa, Mr. Rajanna (2 Acre 18 Guntas) as the holders of the land.
- 5.6.4 1993-94 to 1996-97, 1997-98 to 2001-02 reflects Mr. Y. C. Bajjappa, Mr. Subbarayappa (son of Mr. Chikka Muniyappa), Mr. Munikalappa (son of Mr. Kempanna) (1 Acre 3 Guntas), Shivarudramma (4 Guntas), Mr. Munianjinappa (35 Guntas) as the holders of the land. Mr. Krishnappa, Mr. Nagesh, Mr. Manjunath, Mr. Subramanya and Mr. Srinivasa Murthy were the erstwhile holders of the land.

- 5.6.5 2001-02, 2002-03 reflects Mr. Y. C. Bajjappa, Mr. Subbarayappa (son of Mr. Chikka Muniyappa), Mr. Munikalappa (son of Mr. Kempanna) (1 Acre 3 Guntas), Shivarudramma (4 Guntas), Mr. Munianjinappa (35 Guntas) as the holders of the land. The RTC refers to Mr. Munianjinappa mortgaging of land with KGB Bank.
- 5.6.6 2003-04 reflects Mr. Y.C. Bajjappa (4 Guntas), MR. Subbarayappa (1 Acre 38 Guntas), Mr. Munikalappa (2 Acre 3 Guntas), Mr. R. Munianjinappa (35 Guntas) and Mr. Ajay Singh (4 Guntas) as the holders of the land.
- 5.6.7 2004-05 reflects Mr. Y.C. Bajjappa (4 Guntas), Mr. Subbarayappa (1 Acre 38 Guntas and 1 Acre 3 Guntas), Mr. Munikalappa (1 Acre), Mr. R. Munianjinappa (35 Guntas) and Mr. Ajay Singh (4 Guntas and 35 Guntas) as the holders of the land.
- 5.6.8 2005-06, 2006-07 to 2012-13 reflects Mr. Y.C. Bajjappa (4 Guntas), MR. Subbarayappa (1 Acre 18 Guntas,) and Mr. Ajay Singh (4 ½ Guntas and 35 Guntas) and Mr. Rajanna and Mr. D.S. Nagaraj (1 Acre) as the holders of the land.
- 5.6.9 2013-14 to 2015-16 reflects Mr. Subbarayappa for an extent of 2 Acre 2 Guntas as the holder and the remaining land was held other holders and the same are not part of the Schedule Property.
- 5.7 RTCs issued in respect of the land bearing Survey No. 24/1 measuring 2 Acre 2 Guntas for the years (**Document No. 99**)
- 5.7.1 2015-16 to 2020-21 reflects Mr. Subbarayappa as the holder.
- 5.7.2 2021-22 and 2022-23 reflects Mr. Manish Kumar as the holder of the land.
- 5.7.3 2023-24 reflects Mr. L. Gopinath as the holder of the land. It records MR H32/2022-23;
- 5.8 Record of Rights Tenancy and Crops (RTCs) issued in respect of the land bearing Survey No. 25 measuring 05 Acres 4 Guntas (including 8 Guntas of kharab) for the years (**Document No.100**):
- 5.8.1 1969-70 to 1972-73 reflects as Mr. Y C. Bajjappa, Mr. Chikka Muniya, Mr. Dodda Gangappa, Mr. Munikalappa, Mr. Muniyappa, Mr. Rama Panditas the holders;
- 5.8.2 1973-74 to 1977-78 reflects Mr. Y.C. Bajjappa as the holder of the land.
- 5.8.3 1978-79 to 1982-83 reflects Mr. Y. C. Bajjappa, Mr. Rajanna (2 Acre 18 Guntas) as the holders of the land.
- 5.9 RTCs issued in respect of the land bearing Survey No. 25/1 measuring 2 Acres 26 Guntas (including 8 Guntas of kharab land) for the years (**Document No. 101**)

- 5.9.1 1983-84 to 1987-88, 1988-89 to 1992-93 reflects Mr. Y. C. Bajjappa, Mr. Rama Pandit as the holders of the land.
- 5.9.2 1993-94 to 1996-97 reflects Mr. Subbarayappa, Mr. Krishnappa, Mr. Nagesh, Mr. Manjunath, Mr. Subramanya as the holders of the land.
- 5.9.3 1997-98 to 2002-03 reflects Mr. Subbarayappa (27 Guntas), Mr. A. Shivarudrappa (1 Acre 31 Guntas) as the holders of the land. Mr. Krishnappa, Mr. Nagesh, Mr. Manjunath, Mr. Subramanya were the erstwhile holders of the land.
- 5.9.4 2003-04 to 2015-16 reflects Mr. Subbarayappa (27 Guntas), Mr. Ajay Singh (1 Acre 31 Guntas) as the holders of the land. The RTCs refers to MR T3/2011-12 and MR 27/1994-95
- 5.10 RTCs issued in respect of the land bearing Survey No. 25/3 measuring 27 Guntas for the years (**Document No. 102**)
- 5.10.1 2016-17 reflects Mr. Subbarayappa (son of Late Mr. Chikka Muniyappa) (27 Guntas) as the holders of the land. The RTCs refers to MR T26/2016-17
- 5.10.2 2016-17 to 2022-23 reflects Mr. L. Gopinath as the holder of the land . The RTCs refers to MR H30/2016-17 and stay order in O.S. 436/2018;
- 5.11 We have been provided with Karda and Moola tippani in respect of Survey No. 13 and Hunasemarenahalli Matt is reflected as the karda of the said property(**Document No. 103**).
- 5.12 Hissa Survey Tippani issued in respect of Survey No. 13 (**Document No. 104**), indicates that Survey No. 13 measuring 3 Acre 16 Guntas (including 28 Gunta of Kharab) was phodied and sub divided into Survey Nos. 13/1, 13/2, 13/3 and 13/4. And, further the names of the hissedars are as follows:

Sl. No.	Sy. No.	Name of the Hissedar
1.	13/1	Mr. G. Krishnamurty
2.	13/2	Mr. Ramapanditha
3.	13/3	Mr. Srinivas murthy
4.	13/4	Mr. Chikka Muniyappa

- 5.13 Atlas Nakalu of Survey. No. 13 (**Document No.105**) confirms the shape and sub division of Survey. No. 13/1, 13/2, 13/3 and 13/4.
- 5.14 The Karnataka Revision Settlement Akarband issued in respect of Survey Nos. 13/1 and 13/2 shows the total extent in the said land to be 1Acre 16 Guntas (including 16 Guntas of B kharab) and 13 Guntas (including 2 Guntas of B kharab) respectively (**Document No.106**).

- 5.15 We have been provided with the Revision Settlement Akarband in respect of (i) Survey No. 23/1 reflecting the total extent of land to be 29 Guntas with no kharab therein; (ii) Survey No. 23/3 reflecting the total extent of land to be 11 Guntas with no kharab therein; (iii) Survey No. 23/4 reflecting the total extent of land to be 13 Guntas with no kharab therein (**Document No.107**).
- 5.16 Tippany issued in respect of the land bearing Survey No. 23 (**Document No.108**) reflects the shape of the land.
- 5.17 Hissa Survey Tippany dated 10.03.2020, RR Pakka Book issued in respect of the land bearing Survey No. 23/2 measuring 29 Guntas (**Document No. 109**) reflects the sub-division of the land into 3 portions viz., Survey No. 23/2 measuring 5 Guntas held by Mr. N. Subramanya (son of Late Mr. Narayanappa), Survey No. 23/3 measuring 11 Guntas held by Mr. N. Suresh, Survey No. 23/4 measuring 13 Guntas held by Mr. Ravikumar.
- 5.18 Moola Tippany issued in respect of the land bearing Survey No. 24 (**Document No.110**) reflects the shape of the land and further records Mr. Channappa as the karda of the land.
- 5.19 Hissa Survey Tippany, RR Pakka Book issued in respect of the land bearing Survey No. 24 measuring 5 Acre 4 Guntas (**Document No. 111**) reflects the sub-division of the land into 5 portions viz., **Survey No. 24/1 measuring 2 Acres 2 Guntas held by Mr. Subbarayappa**, Survey No. 24/2 measuring 39 Guntas held by Mr. Ajay Singh, Survey No. 24/3 measuring 1 Acre held by Mr. Rajanna, Survey No. 24/4 measuring 25 Guntas held by Mr.D.S. Nagaraj and Survey No. 24/5 measuring 18 Guntas held by Mr. Subbarayappa.
- 5.20 We have been provided with the Revision Settlement Akarband in respect of Survey No. 24/1 reflecting the total extent of land to be 2 Acre 2 Guntas with no kharab therein (**Document No.112**).
- 5.21 We have been provided with the Revision Settlement Akarband in respect of Survey No. 25/3 reflecting the total extent of land to be 27 Guntas with no kharab therein (**Document No.113**).
- 5.22 Moola Tippany issued in respect of the land bearing Survey No. 25 (**Document No.114**) reflects the shape of the land and further records Mr. Channappa as the karda of the land.
- 5.23 RR Pakka Book issued in respect of the land bearing Survey No. 25 measuring 5 Acre 4 Guntas (including 8 Guntas) (**Document No. 115**) reflects the sub-division of the land into 2 portions viz., Survey No. 25/1 measuring 2 Acres 26 Guntas (including 8

- Guntas of kharab) held by Mr. Bajjappa and Survey No. 25/2 measuring 2 Acres 18 Guntas held by Mr. Channappa.
- 5.24 Atlas, Hissa Survey Tippyany dated 16.02.2017, RR Pakka Book issued in respect of the land bearing Survey No. 25/1 measuring 2 Acre 26 Guntas (including 8 Guntas kharab) (**Document No. 116**) was further sub-divided and renumbered into Survey No. 25/1 measuring 1 Acre 39 Guntas held by Mr. Ajay Singh and Survey No. 25/3 measuring 27 Guntas held by Mr. Subbarayappa.
- 5.25 Endorsement dated 7.12.2022, issued by the Tahsildar, Devanahalli Taluk in respect of Survey Nos. 13/1 and 13/2 for non-availability of IL and RR as the same is dilapidated (**Document No.117**)
- 5.26 Endorsement dated 8.8.2023, bearing RKCR 14/2021-22, issued by the Tahsildar, Devanahalli Taluk in respect of Survey Nos. 13/1 for non-availability of RTC from the period 1978-79 to 82 as the same is dilapidated (**Document No.118**)
- 5.27 On review of Nil Tenancy Certificate dated 9.2.2024, bearing No. RD0038366203879 issued by the Tahsildar, Devanahalli Taluk, we understand that there are no tenancy applications or claims filed/pending under Form No. 2, 7 and 7A of the Karnataka Land Reforms Act, 1961 in respect of the Survey No. 24/1, measuring 2 Acres 2 Guntas, Survey No. 23/1, measuring 29 Guntas. (**Document No. 118A**).
- 5.28 Endorsement dated 14.10.2022, bearing No. PTCL (D)(H) CR 398/2022, issued by the Assistant Commissioner, Doddaballapura confirming that there are no proceedings initiated/pending under Karnataka Schedule Castes and Schedule Tribes (Prohibition of Transfer of Certain Lands) Act, 1978, in respect of the Survey No. 13/1, measuring 1 Acre and Survey No. 13/2, measuring 11 Guntas. (**Document No.119**).
- 5.29 Endorsement bearing No. PTCL (De) (E)CR:397/2022 dated 14.10.2022 issued by the Assistant Commissioner, Doddaballapura Sub Division (**Document No. 120**) stating that no proceedings have been initiated under the provisions of the Karnataka Scheduled Castes & Scheduled Tribes (Prohibition of Transfer of Certain Lands) Act, 1978 in respect Survey No. 23/1 measuring 29 Guntas.
- 5.30 Endorsement bearing No. PTCL (De) (E)CR:395/2022 dated 14.10.2022 issued by the Assistant Commissioner, Doddaballapura Sub Division (**Document No. 121**) stating that no proceedings have been initiated under the provisions of the Karnataka Scheduled Castes & Scheduled Tribes (Prohibition of Transfer of Certain Lands) Act, 1978 in respect Survey No. 23/3 measuring 27 Guntas.
- 5.31 Endorsement bearing No. PTCL (De) (E)CR:392/2022 dated 14.10.2022 issued by the Assistant Commissioner, Doddaballapura Sub Division (**Document No. 122**)

stating that no proceedings have been initiated under the provisions of the Karnataka Scheduled Castes & Scheduled Tribes (Prohibition of Transfer of Certain Lands) Act, 1978 in respect Survey No. 23/4 measuring 13 Guntas.

- 5.32 Endorsement bearing No. PTCL (De) (E)CR:393/2022 dated 14.10.2022 issued by the Assistant Commissioner, Doddaballapura Sub Division (**Document No. 123**) stating that no proceedings have been initiated under the provisions of the Karnataka Scheduled Castes & Scheduled Tribes (Prohibition of Transfer of Certain Lands) Act, 1978 in respect Survey No. 25/3 measuring 27 Guntas.
- 5.33 We have been provided with the Map of Kempalinganapura and Uganawadi Village which shows the location of the land bearing Survey No. in the said village (**Document No. 124A**).

We have not been provided with the Endorsement issued by the Assistant Commissioner, Doddaballapura Sub Division stating that no proceedings have been initiated under the provisions of the Karnataka Scheduled Castes & Scheduled Tribes (Prohibition of Transfer of Certain Lands) Act, 1978 in respect Survey no. 24/1.

6 LAND CONVERSION & LAND USAGE:

- 6.1 Mr. Divakar had made an application to convert the land bearing Survey No. 13/1 measuring 1 Acre 16 Guntas into non-agricultural use. The Deputy Commissioner vide Official Memorandum dated 07.03.2024 bearing No. 627791 under Section 95 of the Karnataka Land Revenue Act, 1964 grants permission to convert land in Survey No. 13/1 measuring 1 Acre 16 Guntas for non-agricultural layout-residential purposes (**Document No.124**). Entry No. MR T6/2023-24 made in the Mutation Register (**Document No.125**) records the aforementioned conversion order.
- 6.2 Mr. Divakar had made an application to convert the land bearing Survey No. 13/2 measuring 13 Guntas into non-agricultural use. The Deputy Commissioner vide Official Memorandum dated 07.03.2024 bearing No. 627793 under Section 95 of the Karnataka Land Revenue Act, 1964 grants permission to convert land in Survey No. 13/2 measuring 13 Guntas for non-agricultural layout-residential purposes (**Document No.126**). Entry No. MR T5/2023-24 made in the Mutation Register (**Document No. 127**) records the aforementioned conversion order.
- 6.3 Mr. Divakar had made an application to convert the land bearing Survey No. 23/3 measuring 11 Guntas into non-agricultural use. The Deputy Commissioner vide Official Memorandum dated 07.03.2024 bearing No. 627827 under Section 95 of the Karnataka Land Revenue Act, 1964 grants permission to convert land in Survey No. 23/3 measuring 11 Guntas for non-agricultural layout-residential purposes (**Document No.128**).

- 6.4 Mr. Divakar had made an application to convert the land bearing Survey No. 23/4 measuring 13 Guntas into non-agricultural use. The Deputy Commissioner vide Official Memorandum dated 07.03.2024 bearing No. 627796 under Section 95 of the Karnataka Land Revenue Act, 1964 grants permission to convert land in Survey No. 23/4 measuring 13 Guntas for non-agricultural layout-residential purposes (**Document No.129**). Entry No. MR T28/2023-24 made in the Mutation Register (**Document No. 130**) records the aforementioned conversion order
- 6.5 M/s. Merusri Developers had made an application to convert the land bearing Survey No. 24/1 measuring 2 Acre 2 Guntas into non-agricultural use. The Deputy Commissioner vide Official Memorandum dated 11.03.2024 bearing No. 627841 under Section 95 of the Karnataka Land Revenue Act, 1964 grants permission to convert land in Survey No. 24/1 measuring 2 Acre 2 Guntas for non-agricultural layout-residential purposes (**Document No.131**). Entry No. MR T33/2023-24 made in the Mutation Register (**Document No. 132**) records the aforementioned conversion order.
- 6.6 M/s. Merusri Developers had made an application to convert the land bearing Survey No. 23/1 measuring 29 Guntas into non-agricultural use. The Deputy Commissioner vide Official Memorandum dated 11.03.2024 bearing No. 627837 under Section 95 of the Karnataka Land Revenue Act, 1964 grants permission to convert land in Survey No. 23/1 measuring 29 Guntas for non-agricultural layout-residential purposes (**Document No.133**). Entry No. MR T32/2023-24 made in the Mutation Register (**Document No. 134**) records the aforementioned conversion order.
- 6.7 Mr. Divakar had made an application to convert the land bearing Survey No. 25/3 measuring 27 Guntas into non-agricultural use. The Deputy Commissioner vide Official Memorandum dated 07.03.2024 bearing No. 627826 under Section 95 of the Karnataka Land Revenue Act, 1964 grants permission to convert land in Survey No. 25/3 measuring 27 Guntas for non-agricultural layout-residential purposes (**Document No.135**).

7 KHATA AND PROPERTY TAX:

- 7.1 E-Khata Certificate dated 03.07.2018 (form 9 and 11A) issued by the Uganavadi Grama Panchayat in respect of property bearing No. 285/13/1/13/2/23/1/23/3/23/4/24/1/25/3 measuring 20942.19 square meter or 225337.96 square feet (5Acres 7 Guntas) on Survey Nos. 13/1, 13/2, 23/1, 23/4, 24/1, 25/3 stands in the name of Mr. Divakar Reddy and M/s. Merusri Developers (**Document Nos. 136**). The property ID No. 150300200401020267.
- 7.2 Tax paid receipts issued by Uganavadi Grama Panchayat for the years 2024-25 (**Document No.137**) in respect of the Project land.

8 LITIGATION:

- 8.1 We have initiated for litigation search report from the third party prepared by Perfios Software Solutions Private Limited in the name of in the name of M/s. Merusri Developers, a partnership firm and Mr. C. Diwakar Reddy. We have found 15 pending litigation in the name of M/s. Merusri Developers and 11 pending litigation in the name of Mr. C. Diwakar Reddy. We have been informed that the same is not part of the Schedule Property. However, an online search is not comprehensive and hence not conclusive. A physical search in the jurisdictional court registries has not been conducted. We recommend that adequate indemnities be obtained in this regard from the borrower in respect of the Schedule Property. **ANNEXURE-1**

9 RERA REGISTRATION:

- 9.1 We have not been provided with the Registration Certificate of Project in Form C issued by the Real Estate Regulatory Authority (RERA), Karnataka with respect to Project land.

10 ENCUMBRANCE CERTIFICATES

Item Nos. 1 and 2

- 10.1 Encumbrance Certificate dated 2.5.2015, bearing S. A No. 2159/2015-16 (**Document No.138**) for the period form 1.4.1950 to 31.3.2004, in respect of Survey No. 13/1 and 13/2 reflects as follows:

10.1.1 Sale Deed dated 25.09.1974 registered on 17.04.1975 as Document No. 4244/1974-75;

10.1.2 the Sale Deed dated 14.10.1985 (registered as Document No.797/1985-86.

[**AL observation:** *We note that the documents number of Sale Deed dated 25.09.1974 is wrongly mentioned as “4244” instead of “4245” .]*

- 10.2 Encumbrance Certificate dated 29.4.2015, bearing S. A No. 2157/2015-16 (**Document No.139**) for the period form 1.4.2004 to 25.04.2015, in respect of Survey Nos. 13/1 and 13/2 reflects nil transaction for the said period.

Item No. 1

- 10.3 Encumbrance Certificate dated 13.7.2022, bearing S. A No. 9133/2022-24(**Document No.140**) for the period form 20.10.2015 to 12.7.2022, in respect of Survey No. 13/1 reflects as follows:

- 10.3.1 Confirmation Deed dated 29.04.2021 registered as Document No. DNH-1-01652-2021-22;
 - 10.3.2 Confirmation Deed dated 1.3.2018, registered as Document No. DNH-1-10216/2017-18;
 - 10.3.3 Sale Deed dated 28.11.2016 (registered as Document No. DNH-1-08351-2016-17; and
 - 10.3.4 Agreement to Sell dated 17.05.2016 (registered as Document No. DNH-1-01376-2016-17.
- 10.4 Encumbrance Certificate issued in respect of Survey No. 13/1 for the period from 01.04.2022 to 28.12.2024 (**Document No.141**) reflects Sale Deed dated 08.11.2023 registered as Document No. DNH-1-10515-2023-24 during that period;

Item No. 2

- 10.5 Encumbrance Certificate dated 13.7.2022, bearing S. A No. 9134/2022-23 (**Document No.142**) for the period form 20.10.2015 to 12.7.2022, in respect of Survey No. 13/2 reflects as follows:
- 10.5.1 Confirmation Deed dated 1.3.2018, registered as Document No. DNH-1-10216/2017-18;
 - 10.5.2 Sale Deed dated 28.11.2016 (registered as Document No. DNH-1-08351-2016-17; and
 - 10.5.3 Agreement to Sell dated 17.05.2016 (registered as Document No. DNH-1-01376-2016-17.
- 10.6 Encumbrance Certificate issued in respect of Survey No. 13/2 for the period from 01.04.2022 to 28.12.2024 (**Document No.143**) reflects Sale Deed dated 08.11.2023 registered as Document No. DNH-1-10515-2023-24 during that period;

Item No. 3, 4 and 5

- 10.7 Encumbrance Certificate dated 21.9.2022, bearing S. A No. 15118/22-23, for the period 1.4.2021 to 21.9.2022, in respect of Survey No. 23/1, 23/2, 23/3 and 23/4 (**Document No.144**) reflects nil transaction for the said period;
- 10.8 Encumbrance Certificate for the period 1.4.2004 to 26.10.2023, in respect of Survey No. 23/2, 3 and 4 (**Document No.145**) reflects as follows:
- 10.8.1 Joint Development Agreement dated 21.6.2023, registered as Document No, DNH-1-03144-2023-24;
 - 10.8.2 Cancellation Deed dated 14.10.2022, registered as Document No. DNH-1-08718-2022-23;

- 10.8.3 Agreement dated 25.3.2021, registered as Document No. DNH-1-10582-2020-21;
- 10.8.4 Discharge Deed dated 21.2.2014, registered as Document No. DNH-1-09699-2013-14;
- 10.9 Encumbrance Certificate dated 27.9.2024, for the period 7.2.2024 to 25.9.2024, in respect of Survey No. 23/1 (**Document No.146**) reflects nil transaction for the said period;
- 10.10 Encumbrance Certificate dated 26.9.2024, for the period 1.3.2024 to 25.9.2024, in respect of Survey No. 23/3 (**Document No.147**) reflects nil transaction for the said period;
- 10.11 Encumbrance Certificate dated 27.9.2024, for the period 1.3.2024 to 25.9.2024, in respect of Survey No. 23/4 (**Document No.148**) reflects nil transaction for the said period;
- We have not been provided with the following Encumbrance Certificate*
- *In respect of Survey No.23/1, 2 from the period 1.4.1960 till the date of phodi.*
 - *In respect of Survey No. 23/1 from 1.4.2004 to 01.4.2022.*
- 10.12 Encumbrance Certificate issued in respect of Survey No. 23/1 for the period from 01.04.2022 to 28.12.2024 (**Document No.149**) reflects the following transactions:
- 10.12.1 Consent Deed dated 06.02.2024 registered as Document No. DNH-1-15931-2023-24
- 10.12.2 Sale Deed dated 19.01.2024 registered as Document No. DNH-1-14739-2023-24;
- 10.12.3 Agreement of sale dated 08.11.2023 registered as Document No. DNH-1-10530-2023-24.
- 10.13 Encumbrance Certificate issued in respect of Survey No. 23/3 for the period from 01.04.2022 to 28.12.2024 (**Document No.150**) reflects the following transactions:
- 10.13.1 Sale Deed dated 08.11.2023 registered as Document No. DNH-1-10515-2023-24
- 10.13.2 Sale Deed dated 11.10.2022 registered as Document No. DNH-1-08739-2022-23;
- 10.13.3 Cancellation Deed dated 14.10.2022 registered as Document No. DNH-1-08718-2022-23
- 10.14 Encumbrance Certificate issued in respect of Survey No. 23/4 for the period from 01.04.2022 to 28.12.2024 (**Document No.151**) reflects the following transaction:
- 10.14.1 Sale Deed dated 08.11.2023 registered as Document No. DNH-1-10515-2023-24

- 10.14.2 Cancellation Deed dated 14.10.2022 registered as Document No. DNH-1-08718-2022-23
- 10.14.3 Sale Deed dated 14.10.2022 registered as Document No. DNH-1-08737-2022-23.
- 10.15 Encumbrance Certificate issued in respect of Survey No. 23/1, 23/3, 23/4, 24/1 and 25/3 for the period from 01.04.2022 to 28.12.2024 (**Document No.152**) reflects the following transactions:
 - 10.15.1 Cancellation Deed dated 08.11.2023 registered as Document No. DNH-1-10517-2023-24
 - 10.15.2 Joint Development Agreement dated 21.06.2023 registered as Document No. DNH-1-03144-2023-24;
 - 10.15.3 Cancellation Deed dated 14.10.2022 registered as Document No. DNH-1-08718-2022-23

Item No. 6

- 10.16 Encumbrance Certificate issued in respect of the land bearing Survey No. 24 for the period from 01.04.1950 to 01.04.2004 (**Document No.153**) reflects following transaction during the period.
 - 10.16.1 Sale Deed dated 19.05.1953 registered as Document No.470;
 - 10.16.2 Sale Deed dated 26.07.1954 registered as Document No. 767;
 - 10.16.3 Sale Deed dated 13.11.1957 registered as Document No.1989
 - 10.16.4 Sale Deed dated 29.1.1958 registered as Document No. 2697
 - 10.16.5 Sale Deed dated 29.1.1958 registered as Document No. 2699
 - 10.16.6 Sale Deed dated 29.1.1958 registered as Document No. 2698
 - 10.16.7 Sale Deed registered as Document No. 797;
 - 10.16.8 Sale Deed dated 05.01.1999 registered as Document No. 2106;
 - 10.16.9 Sale Deed dated 31.05.2000 registered as Document No. 332;
 - 10.16.10 Declaration Deed dated 05.12.2000 registered as Document No. 74

The following transactions are not in respect of Schedule Property

- 10.16.11 Sale Deed dated 29.1.1958 registered as Document No. 2699
- 10.16.12 Sale Deed dated 05.01.1999 registered as Document No. 2106;
- 10.16.13 Sale Deed dated 31.05.2000 registered as Document No. 332;
- 10.16.14 Declaration Deed dated 05.12.2000 registered as Document No. 74
- 10.17 Encumbrance Certificate issued in respect of Survey No. 24/1 for the period from 01.04.2022 to 28.12.2024 (**Document No.154**) reflects the following transactions:
 - 10.17.1 Rectification Deed dated 28.05.2024 registered as Document No. DNH-1-03881-2024-25

10.17.2 Sale Deed dated 09.11.2023 registered as Document No. DNH-1-10518-2023-24;

10.17.3 Sale deed dated 21.06.2023 registered as Document No. DNH-1-03141-2023-24.

Item No. 7

10.18 Encumbrance Certificate in SA No. 2160/15-16 issued in respect of the land bearing Survey No. 25/1 for the period from 01.04.1950 to 01.04.2004 (**Document No.155**) reflects following transaction during the period.

10.18.1 Sale Deed dated 19.05.1953, registered as Document No. 470, Volume 630 at Pages 59-61;

10.18.2 Sale Deed dated 14.10.1985 registered as Document No.797/1985-86;

10.18.3 Sale Deed dated 28.11.2002 registered as Document No. 1676

10.19 Encumbrance Certificate in SA No. 9131/22-23 issued in respect of the land bearing Survey No. 25/1 for the period from 01.04.2004 to 12.07.2022 (**Document No. 156**) reflects following transaction during the period.

10.19.1 Confirmation Deed dated 29.04.2021 registered as Document No. DNH-1-01652-2021-22

10.19.2 Confirmation Deed dated 01.03.2018 registered as Document No. DNH-1-10214-2017-18

10.19.3 Sale Deed dated 28.11.2016 registered as Document No. DNH-1-839-2017-18.

10.20 Encumbrance Certificate issued in respect of the land bearing Survey No. 25/3 for the period from 01.04.2022 to 25.09.2024 (**Document No.157**) reflects following transaction during the period.

10.20.1 Cancellation Deed dated 08.11.2023 registered as Document No. DNH-1-10517-2023-24;

10.20.2 Joint Development Agreement dated 21.06.2023 registered as Document No. DNH-1-03144-2023-24.

10.21 Encumbrance Certificate issued in respect of Survey No. 25/3 for the period from 01.04.2022 to 28.12.2024 (**Document No.158**) reflects Sale Deed dated 08.11.2023 registered as Document No. DNH-1-10515-2023-24 during that period;

11 APPROVALS AND NO OBJECTION CERTIFICATES:

11.1 Sanction letter bearing No. BIAAPA/TP/LAO/DP/116-2023-24/2024-25/1088 dated 5.8.2024 and Sanction Plan dated 5.8.2024, bearing No. BIAAPA/TP/LAO/DP/116-2023-24/2024-25 issued by BIAAPA (**Document No.159 & 160**) grants permission for construction of residential group housing consisting of Block A to F comprising of Ground floor + 2 upper floors and Terrace floor to be constructed on Survey No. 13/1 measuring 1 Acre and Survey No. 13/2 measuring 11 Guntas, Survey No. 23/1 measuring 29 Guntas, Survey No. 23/3 measuring 11 Guntas, Survey No. 23/4 measuring 13 Guntas, Survey No. 24/1 measuring 2 Acre 2 Guntas and Survey No. 25/3 measuring 21 Guntas with 76 units along with 76 car parking.

12 **CERSAI**

12.1 We have conducted an online search under the **Central Registry of Securitisation Asset Reconstruction and Security Interest of India (CERSAI)** with respect to the aforesaid property bearing No. 285/13/1/13/2/23/1/23/3/23/24/24/1/25/3, on review of the same we note that there is no charge on the property. **ANNEXURE-2**

13 **INSPECTION OF ORIGINAL DOCUMENTS AND PUBLIC NOTICE:**

13.1 We have inspected the original title deeds in respect of Schedule Property and the same are listed in Paragraph 3 of this Report.

13.2 We have not issued any Public Notice during our title scrutiny report.

14 **OPINION:**

Based on a review of the above-mentioned documents and clarifications provided to us and subject to our observations made in the report, we are of the opinion that:

14.1 Mr. C Divakara Reddy has valid right, title and interest in respect of Survey No. 13/1 measuring 1 Acre 16 Guntas kharab land and Survey No. 13/2 measuring 11 Guntas and 2 Gunta kharab land both situated at Kempalinganapura Village, Kasaba Hobli, Devanahalli Taluk, Bengaluru Rural District and Survey No. 23/3 measuring 11 Guntas, Survey No. 23/4 measuring 13 Guntas, Survey No. 25/3 measuring 21 Guntas situated at Uganawadi Village, Kasaba Hobli, Devanahalli Taluk, Bengaluru Rural District.

14.2 M/s. Merusri Developers have the valid right, title and interest in respect of the land bearing Survey No. 23/1 measuring 29 Guntas and Survey No. 24/1 measuring 2 Acre 2 Guntas situated at Uganawadi Village, Kasaba Hobli, Devanahalli Taluk, Bengaluru Rural District.

14.3 Subject to the developmental rights, marketing rights and 100% sale/mortgage rights of the Project being exclusively of M/s. Merusri Sunscape LLP;

- 14.4 The Schedule Property has been converted from agricultural to non-agricultural residential use.
- 14.5 The schedule property has a clear, valid and marketable title and can create registered/equitable mortgage on the property subject to pending documents mentioned above.
- 14.6 We recommend to obtain RERA certificate, No Objection Certificates/ Consent letters from the concerned authorities in respect of Schedule Property.

15 QUALIFICATIONS:

The scope of our review and of this Report is subject to the following limitations:

- 15.1 While performing the review, we have been provided with documents in relation to Schedule Property;
- 15.2 While performing the review, we have assumed the: (a) genuineness of all signatures; (b) accuracy and correctness of all information/representations provided/made to us, including the facts that are mentioned in agreements, executed copies of documents and government records; (c) authenticity of copies of all documents submitted to us as originals; (d) conformity of the copies or extracts submitted to us with the originals thereof; (e) correctness of all information provided to us in respect of the litigations in respect of the Larger Property including the fact that no appeals or revisions have been filed in respect of the relevant suits/litigations; and (f) compliance with all legal requirements by the parties concerned with the Schedule Properties;
- 15.3 We have only examined issues pertaining to the ownership of the Schedule Properties and have not examined issues pertaining to: (a) approvals from various statutory/regulatory authorities for construction, development and/or occupation of the Schedule Properties; (b) business, regulatory and financial issues of the present or previous owners of the Schedule Properties; and (c) other matters that do not directly affect the ownership of the Larger Property;
- 15.4 For the purposes of this Report, we have relied upon the provisions of relevant statutes and applicable judicial pronouncements as applicable in the Union of India in force as on date. Such statutes and judicial pronouncements are subject to change by subsequent legislative, regulatory, administrative, and/or judicial actions. Any such change could have an effect on the validity of the statements made by us in this Report;
- 15.5 We have assumed that there are no outstanding/dues payable by the present/ previous owners of the property to any government/statutory authority (including any tax/cess dues) or local body and that the property is not subject to any charge, attachment, proceeding or claim for any amount due or payable including under applicable laws;

- 15.6 Our Maximum liability in relation to this Report shall not exceed the professional fees received by us under the engagement under which this Report has been issued;
- 15.7 Our observations in this Report are limited to issues and risks arising from a legal perspective in relation to the title to the said Larger Property, as analysed by us from the information and documents furnished to us. We have not conducted an independent verification of such information or documents, other than as expressly indicated in the relevant parts of this Report;
- 15.8 This Report will not be binding on any government or governmental authority or any court or tribunal which may take a contrary view on the subject or which may have to be independently satisfied notwithstanding anything contained in this Report;
- 15.9 The Report is confined to the matters stated herein and it is not to be read as extending to any other matter, by implication or otherwise. This Report has been prepared based on the instructions provided to us by our Client and shall not be relied upon by any other Person without obtaining our prior consent in writing.

Yours faithfully,

Mr. Vishal Bhat.
Partner
Anoma Law Group LLP
Date: January 30, 2025
Place: Bengaluru