

ADVOCATE S MEGHANA
BBA.LL.B

#152/A, 4th Main, 8th cross, Bapujinagar, Bangalore - 560026
Email: Meghanakumar0913@gmail.com
Contact Number: +91 9108287509

Dated: 21/02/2024

M/s Bren Corporation Pvt. Ltd.
Bren Balavana,
No. 61, 5th A Block
Koramangala
Bengaluru - 560095

Sir's

Sub : Title opinion in respect of immovable property being lands bearing Municipal No. 135, earlier comprised in lands bearing Survey No. 174/3 measuring 4 Guntas, Survey No. 174/4 measuring 2 Acres 1.13 Guntas, Survey No. 174/5 measuring 17.12 Guntas, Survey No. 174/6 measuring 3 Guntas and 1 Gunta Kharab land, Survey No. 174/7 measuring 17 Guntas, Survey No. 174/8 measuring 26 Guntas and Survey No. 175 measuring 30 Guntas, totally measuring 4 Acres 18.25 Guntas and 1 Gunta Kharab, situated in Kaggalipura Village, Uttarahalli Hobli, Bangalore South Taluk, Bengaluru Urban District.

The property described above is hereinafter referred to as the '**Property**'. Title to various parcels of lands comprised in the Property have been examined and the title due diligence report for each parcel has been narrated in Part A to Part E for the sake of brevity.

PART A

I. DOCUMENTS SCRUTINIZED FOR SURVEY NO. 174/5 AND SURVEY NO. 174/7

Sl. No.	Date of Document	Name of Documents
1.	06.08.1958	Order passed by the Special Deputy Commissioner for



**Advocate S Meghana,
BBA.LL.B**

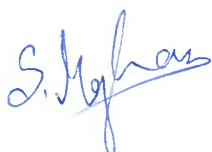
		Abolition of Inams, Bangalore and Kolar Districts, in respect of a portion of land bearing Survey No. 174 measuring 1 Acre 20 Guntas situated in Kaggalipura Village;
2.	11.08.1959	Endorsement issued by the Special Deputy Commissioner for Abolition of Inams, Bangalore and Kolar Districts;
3.		Extract of Register in Form VIII issued by the Tahsildar, Bangalore South Taluk;
4.		Extract of Register of Inheritance Cases reflecting entry bearing IHC No. 11/1983-84;
5.		Hissa Tippani in respect of lands bearing Survey Nos. 174/1 to 174/7;
6.		Hissa Tippani in respect of lands bearing Survey Nos. 174/1 to 174/8;
7.	20.12.1991	Sale Deed executed by Venkatamma, wife of Ramaiah, Ramakrishna, son of Late Ramaiah and Mohan Kumar, son of Late Govindaraj in favour of Y. Sulochana, wife of Ramachandra Naidu, registered as Document No. 5982/1991-92, Book – I, Volume 427, at Pages 76 to 84 in the office of the Sub-Registrar, Kengeri in respect of land bearing Survey Nos. 174/5 and 174/7 measuring 1 Acre 4 Guntas;
8.		Extract of the Mutation Register reflecting entry bearing MR No. 46/1991-92;
9.		Extract of the Record of Rights, Tenancy and Crop Inspection in respect of land bearing Survey No. 174 for the period 1970-71 to 1991-92;
10.		Extract of the Record of Rights, Tenancy and Crop Inspection in respect of land bearing Survey No. 174/5 for the period 1992-93 to 2019-20; and

S. Meghana

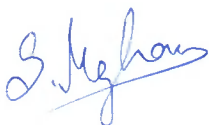
11.		Extract of the Record of Rights, Tenancy and Crop Inspection in respect of land bearing Survey No. 174/7 for the period 1992-93 to 2019-20.
-----	--	---

**II. COMMENTS AND OBSERVATION ON DOCUMENTS FURNISHED IN
PART A:**

1. The property forming the subject matter of this part (Part A) of the title due diligence report are lands bearing Survey No. 174/5 measuring 27 Guntas and Survey No. 174/7 measuring 17 Guntas situated in Kaggalipura Village, Uttarahalli Hobli, Bengaluru South Taluk, Bengaluru Urban District. Lands bearing Survey No. 174/5 and 174/7 earlier formed part of larger extent of land bearing Survey No. 174 measuring 6 Acres 24 Guntas (including 11 Guntas of unarable land classified as B Kharab lands) situated in Kaggalipura Village.
2. It appears that Kaggalipura village was a Khayam Gutta village attached to an Inam (beneficial grants made in favour of Inamdars on a permanent assessment based on the then existing revenue). Pursuant to the enactment of the Mysore (Personal and Miscellaneous) Inams Abolition Act, 1954 ("**Inams Act**"), read with Notification No. R.8347-L.S.63-56-2, dated September 15, 1956, published in the Karnataka Gazette, on September 20, 1956, the privileged tenurial rights vested in the Inamdars ceased and lands comprised in the Inam stood vested in the State Government, with a right to the Inamdars and tenants to make an application for re-grant of the said lands.
3. It appears that an application for regrant of an extent of 1 Acre 20 Guntas in land bearing Survey No. 174 was made by one Ramaiah, son of Doddavenkatappa. In this regard, I have been provided with a copy of Order dated August 6, 1958 and Endorsement dated August 11, 1959 issued by the Special Deputy Commissioner for Abolition of Inams, Bangalore and Kolar Districts, and a copy of Extract of Register in Form VIII issued by the Tahsildar, Bangalore South Taluk, confirming the occupancy rights of the aforesaid Ramaiah in respect of 1 Acre 20 Guntas in land bearing Survey No. 174 (Document Nos. 1 to 3).



4. I have been provided with a copy of extract of Register of Inheritance Cases reflecting entry bearing IHC No. 11/1983-84 which indicates that pursuant to the death of Ramaiah, the Khata in respect of land bearing Survey No. 174 measuring 1 Acre 20 Guntas was transferred in the name of his wife Venkatamma (Document No. 4). However, not been provided with the death certificate and genealogical tree of Ramaiah and have been informed that the said documents are not available. In view of the sale of the property in the year 1991 (as noted below) when the purchaser was vested with possession of lands bearing Survey Nos. 174/5 and 174/7, the said issue becomes nugatory. It is, however, advisable to secure a representation from the current owner that his possession and enjoyment of the said lands bearing Survey Nos. 174/5 and 174/7 has been peaceful and uninterrupted.
5. It appears that land bearing Survey No. 174 was initially sub-divided into seven portions bearing Survey No. 174/1 to Survey No. 174/7 and the name of Ramaiah was reflected as the owner of lands bearing Survey No. 174/4 measuring 24 Guntas and Survey No. 174/6 measuring 18 Guntas (Document No. 5). Subsequently, land bearing Survey No. 174 appears to have been re-surveyed and further sub-divided to form Survey Nos. 174/1 to 174/8 (Document No. 6). It appears that Ramaiah was in possession of an extent of only 27 Guntas in land bearing Survey No. 174/5 and 17 Guntas in land bearing Survey No. 174/7 and therefore, the name of Ramaiah was reflected as the owner of the said lands.
6. Thereafter, the aforesaid Venkatamma, her son Ramakrishna alias Ramakrishnappa and Mr. Mohan Kumar (son of late Govindaraj) executed a Sale Deed dated December 20, 1991 under which they conveyed lands bearing Survey Nos. 174/5 and 174/7 totally measuring 1 Acre 4 Guntas in favour of Y. Sulochana, wife of Ramachandra Naidu (Document No. 7). The name of the aforesaid Y. Sulochana was entered in the revenue records as the owner of lands bearing Survey Nos. 174/5 measuring 27 Guntas and 174/7 measuring 17 Guntas vide an entry bearing MR No. 46/1991-92 in the Mutation Register (Document No. 8).
7. I have been furnished with copies of Record of Rights, Tenancy and Crop Inspection in respect of land bearing Survey No. 174 for the period 1970-



71 to 1991-92 (Document No. 9). The RTC for the period 1980-81 to 1990-91 reflects the name of Venkatamma as the owner of an extent of 1 Acre 20 Guntas in land bearing Survey No. 174. It is also seen that the name of Ramaiah has been deleted.

8. I have been furnished with copies of Record of Rights, Tenancy and Crop Inspection in respect of lands bearing Survey No. 174/5 and Survey No. 174/7 for the period 1992-93 to 2019-20 which reflects the name of Y. Sulochana as the owner and cultivator of lands bearing Survey No. 174/5 measuring 27 Guntas and Survey No. 174/7 measuring 17 Guntas (Document No. 10 & 11).

PART B

III. DOCUMENTS SCRUTINIZED FOR SURVEY NO. 174/6 AND SURVEY NO. 174/8:

Sl. No.	Date of Document	Name of Documents
1.	06.08.1958	Order passed by the Special Deputy Commissioner for Abolition of Inams, Bangalore and Kolar Districts, in respect of portions of land bearing Survey No. 174 measuring 1 Acre and 1 Acre 8 Guntas, in favour of Subbanna, son of Subbanna;
2.	08.08.1959	Endorsement issued by the Special Deputy Commissioner for Abolition of Inams, Bangalore and Kolar Districts;
3.		Extract of Register in Form VIII issued by the Tahsildar, Bangalore South Taluk;
4.		Extract of Register of Inheritance Cases reflecting entry bearing IHC No. 8/1982-83;
5.		Hissa Tippani in respect of lands bearing Survey Nos. 174/1 to 174/7;

S. Meghana

**Advocate S Meghana,
BBA.LL.B**

6.		Hissa Tippani in respect of lands bearing Survey Nos. 174/1 to 174/8;
7.	28.09.1983	Certified copy of Sale Deed executed by Nagaraj S., son of Subbanna, in favour of K. M. Ramesh, son of K. Munirathnam Naidu, registered as Document No. 4819/1983-84, Book – I, Volume 2044, at Pages 130 to 134, in the Office of the Sub-Registrar, Bangalore South Taluk in respect of land bearing Survey No. 174 of Kaggalipura Village measuring 1 Acre;
8.	28.10.1991	Sale Deed executed by K. M. Ramesh in favour of Y. Sulochana, wife of Y. Ramachandra Naidu registered as Document No. 4345/1991-92, Book – I, Volume 378, at Pages 42 to 47, in the Office of the Sub-Registrar, Kengeri in respect of land bearing Survey No. 174 of Kaggalipura Village measuring 1 Acre;
9.		Extract of the Mutation Register reflecting entry bearing MR No. 44/1991-92;
10.		Extract of the Record of Rights, Tenancy and Crop Inspection in respect of land bearing Survey No. 174 for the period 1970-71 to 1991-92;
11.		Extract of the Record of Rights, Tenancy and Crop Inspection in respect of land bearing Survey No. 174/6 for the period 1992-93 to 2019-20; and
12.		Extract of the Record of Rights, Tenancy and Crop Inspection in respect of land bearing Survey No. 174/8 for the period 1992-93 to 2019-20.

IV. COMMENTS AND OBSERVATION ON DOCUMENTS FURNISHED IN PART B:

1. The property forming the subject matter of this part (Part B) of the title

S. Meghana

-
- due diligence report are lands bearing Survey No. 174/6 measuring 4 Guntas and Survey No. 174/8 measuring 26 Guntas situated in Kaggalipura Village, Uttarahalli Hobli, Bengaluru South Taluk, Bengaluru Urban District. Lands bearing Survey No. 174/6 and 174/8 earlier formed part of larger extent of land bearing Survey No. 174 measuring 6 Acres 24 Guntas (including 11 Guntas of unarable land classified as B Kharab lands) situated in Kaggalipura Village.
2. It appears that Kaggalipura village was a Khayam Gutta village attached to an Inam (beneficial grants made in favour of Inamdars on a permanent assessment based on the then existing revenue). Pursuant to the enactment of the Mysore (Personal and Miscellaneous) Inams Abolition Act, 1954 ("**Inams Act**"), read with Notification No. R.8347-L.S.63-56-2, dated September 15, 1956, published in the Karnataka Gazette, on September 20, 1956, the privileged tenurial rights vested in the Inamdars ceased and lands comprised in the Inam stood vested in the State Government, with a right to the Inamdars and tenants to make an application for re-grant of the said lands.
 3. It appears that an application for regrant of an extent of 2 Acres 8 Guntas in land bearing Survey No. 174 was made by one Subbanna, son of Subbanna. In this regard, I have been provided with a copy of Order dated August 6, 1958 and Endorsement dated August 8, 1959 issued by the Special Deputy Commissioner for Abolition of Inams, Bangalore and Kolar Districts, and a copy of Extract of Register in Form VIII issued by the Tahsildar, Bangalore South Taluk, confirming the occupancy rights of the aforesaid Subbaiah in respect of 2 Acres 8 Guntas in land bearing Survey No. 174 (Document Nos. 1 to 3).
 4. I have been furnished with a copy of extract of Register of Inheritance Cases reflecting entry bearing IHC No. 8/1982-83 which indicates that pursuant to the death of Subbanna, the Khata in respect of land bearing Survey No. 174 measuring 2 Acres 8 Guntas was transferred in the name of his son S. Nagaraju (Document No. 4). It is noticed in the aforesaid entry bearing IHC No. 8/1982-83 that Subbanna had two daughters by names Lakshmamma and Venkatamma.
 5. It appears that land bearing Survey No. 174 was initially sub-divided into



seven portions bearing Survey No. 174/1 to Survey No. 174/7 and the name of Subbanna was reflected as the owner of lands bearing Survey No. 174/5 measuring 5 Guntas and Survey No. 174/7 measuring 27 Guntas (Document No. 5). Subsequently, land bearing Survey No. 174 appears to have been re-surveyed and further sub-divided to form Survey Nos. 174/1 to 174/8 (Document No. 6). It appears that Subbanna was in possession of an extent of only 4 Guntas in land bearing Survey No. 174/6 and 26 Guntas in land bearing Survey No. 174/8 and therefore, the name of Subbanna was reflected as the owner of the said lands.

6. Thereafter, the aforesaid S. Nagaraju (son of Subbanna) executed a Sale Deed dated September 28, 1983 under which he conveyed an extent of 1 Acre in land bearing Survey No. 174 in favour of one K. M. Ramesh, son of K. Munirathnam Naidu (Document No. 7).
7. It is pertinent to note that the daughters of Subbanna, namely, Lakshamma and Venkatamma did not join in the execution of the aforesaid Sale Deed dated September 28, 1983. A risk of a claim being raised by the said Lakshamma and Venkatamma appears to be remote as more than 30 years have passed since the execution of the sale deed by S. Nagaraju. Any action by Lakshamma and Venkatamma or their legal heirs will have to be resisted by raising the defense of limitation in view of subsequent transactions pertaining to the said lands and in view of the revenue records being consequently updated over the last 36 years. Additionally, appropriate indemnities may be secured from the current owner of the said lands.
8. K. M. Ramesh sold the said extent of 1 Acre in land bearing Survey No. 174 in favour of Y. Sulochana, wife of Ramachandra Naidu under a Sale Deed dated October 28, 1991 (Document No. 8). I have been provided with a copy of entry bearing MR No. 46/1991-92 in the Mutation Register which indicates that the name of the aforesaid Y. Sulochana was entered in the revenue records as the owner of lands bearing Survey Nos. 174/6 measuring 3 Guntas and 174/8 measuring 26 Guntas (Document No. 9). The aforesaid entry in the Mutation Register indicates that the transaction on the basis of which the said entry was passed is Sale Deed dated October 28, 1991 executed by K. M. Ramesh in favour of Y. Sulochana.

S. Meghana

9. I have been provided with copies of Record of Rights, Tenancy and Crop Inspection in respect of land bearing Survey No. 174 for the period 1970-71 to 1991-92 (Document No. 10). The RTC for the period 1980-81 to 1990-91 reflects the name of Subbanna as the owner of an extent of 2 Acres 8 Guntas in land bearing Survey No. 174. The said RTC also indicates the name of K. M. Ramesh as the subsequent purchaser of an extent of 1 Acre in land bearing Survey No. 174. It is however, seen that the name of S. Nagaraj continued to reflect in the RTC as the owner and cultivator of an extent of 1 Acre 8 Guntas in land bearing Survey No. 174 until 1990-91 when it was deleted.
10. I have been provided with copies of Record of Rights, Tenancy and Crop Inspection in respect of lands bearing Survey No. 174/6 and Survey No. 174/8 for the period 1992-93 to 2019-20 which reflects the name of Y. Sulochana as the owner and cultivator of lands bearing Survey No. 174/6 measuring 3 Guntas and Survey No. 174/8 measuring 26 Guntas (Document Nos. 11 & 12).

PART C

V. DOCUMENTS SCRUTINIZED FOR SURVEY NO. 174/3 AND SURVEY NO. 174/4:

Sl. No.	Date of Document	Name of Documents
1.	06.08.1958	Order passed by the Special Deputy Commissioner for Abolition of Inams, Bangalore and Kolar Districts, in respect of a portion of land bearing Survey No. 174 measuring 2 Acre 10 Guntas, in favour of Gundappa, son of Lingappa;
2.	11.08.1959	Endorsement issued by the Special Deputy Commissioner for Abolition of Inams, Bangalore and Kolar Districts in respect of a portion of land bearing Survey No. 174 of

S. Meghana

**Advocate S Meghana,
BBA.LL.B**

		Kaggalipura Village measuring 2 Acre 10 Guntas;
3.		Extract of Register in Form VIII issued by the Tahsildar, Bangalore South Taluk in respect of a portion of land bearing Survey No. 174 of Kaggalipura Village measuring 2 Acre 10 Guntas;
4.		Extract of Register in Form VIII issued by the Tahsildar, Bangalore South Taluk in respect of a portion of land bearing Survey No. 174 of Kaggalipura Village measuring 15 Guntas;
5.		Extract of the Mutation Register reflecting entry bearing MR No. 199/1982-83;
6.		Hissa Tippani in respect of lands bearing Survey Nos. 174/1 to 174/7;
7.		Hissa Tippani in respect of lands bearing Survey Nos. 174/1 to 174/8;
8.	28.02.1992	Sale Deed executed by Narasarasappa, son of Late Nalle Hanumaiah and R. Arasappa, son of Rudrappa, in favour of Y Sulochana, wife of Y. Ramachandra Naidu registered as Document No. 8068/1991-92, Book – 1, Volume 972, at Pages 73 to 79, in the Office of the Sub-Registrar, Kengeri in respect of lands bearing Survey Nos. 174/3 and 174/4 measuring 2 Acre 18 Guntas;
9.		Extract of the Mutation Register reflecting entry bearing MR No. 49/1991-92;
10.		Extract of the Record of Rights, Tenancy and Crop Inspection in respect of land bearing Survey No. 174 for the period 1970-71 to 1991-92;
11.		Extract of the Record of Rights, Tenancy and Crop Inspection in respect of land bearing Survey No. 174/3 for

S. Meghana

		the period 1992-93 to 2019-20; and
12.		Extract of the Record of Rights, Tenancy and Crop Inspection in respect of land bearing Survey No. 174/4 for the period 1992-93 to 2019-20.

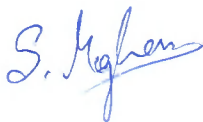
**VI. COMMENTS AND OBSERVATION ON DOCUMENTS FURNISHED IN
PART C:**

1. The property forming the subject matter of this part (Part C) of the title due diligence report are lands bearing Survey No. 174/3 measuring 4 Guntas and Survey No. 174/4 measuring 2 Acres 16 Guntas situated in Kaggalipura Village, Uttarahalli Hobli, Bengaluru South Taluk, Bengaluru Urban District. Lands bearing Survey No. 174/3 and 174/4 earlier formed part of larger extent of land bearing Survey No. 174 measuring 6 Acres 24 Guntas (including 11 Guntas of unarable land classified as B Kharab lands) situated in Kaggalipura Village.
2. It appears that Kaggalipura village was a Khayam Gutta village attached to an Inam (beneficial grants made in favour of Inamdars on a permanent assessment based on the then existing revenue). Pursuant to the enactment of the Mysore (Personal and Miscellaneous) Inams Abolition Act, 1954 ("**Inams Act**"), read with Notification No. R.8347-L.S.63-56-2, dated September 15, 1956, published in the Karnataka Gazette, on September 20, 1956, the privileged tenurial rights vested in the Inamdars ceased and lands comprised in the Inam stood vested in the State Government, with a right to the Inamdars and tenants to make an application for re-grant of the said lands.
3. It appears that one Gundappa, son of Lingappa filed an application for regrant of an extent of 2 Acres 10 Guntas and one Nagappa, son of Doddavenkatappa filed an application for regrant of an extent of 15 Guntas, in land bearing Survey No. 174. In this regard, I have been furnished with a copy of Order dated August 6, 1958 and Endorsement dated August 11, 1959 issued by the Special Deputy Commissioner for

S. Meghana

Abolition of Inams, Bangalore and Kolar Districts, and a copy of Extract of Register in Form VIII issued by the Tahsildar, Bangalore South Taluk, confirming the occupancy rights of the aforesaid Gundappa in respect of 2 Acres 10 Guntas in land bearing Survey No. 174 (*Document Nos. 1 to 3*). I have not been provided with an order passed under the Inams Act in respect of the application made by Nagappa. I have however, been provided with a copy of Extract of Register in Form VIII issued by the Tahsildar, Bangalore South Taluk, confirming the occupancy rights of the aforesaid Nagappa in respect of 15 Guntas in land bearing Survey No. 174 (*Document No. 4*). The name of Nagappa was entered in the revenue records as the owner of 15 Guntas in land bearing Survey No. 174 vide an entry in the Mutation Register bearing MR No. 199/1982-83 (*Document No. 5*).

4. It appears that land bearing Survey No. 174 was initially sub-divided into seven portions bearing Survey No. 174/1 to Survey No. 174/7 and the name of Gundappa was reflected as the owner of land bearing Survey No. 174/3 measuring 2 Acres 11 Guntas and the name of Nagappa was reflected as the owner of land bearing Survey No. 174/2 measuring 1 Acre 4 Guntas (*Document No. 6*). Subsequently, land bearing Survey No. 174 appears to have been re-surveyed and further sub- divided to form Survey Nos. 174/1 to 174/8 (*Document No. 7*). The said Hissa Tippani reflects the name of Gundappa as the owner of 4 Guntas in land bearing Survey No. 174/3 and 2 Acres 16 Guntas in land bearing Survey No. 174/4. The name of Nagappa is not reflected as one of the owners of land in Survey No. 174. It is advisable to secure a clarification in this regard.
5. I have been provided with a copy of a Sale Deed dated October 28, 1991 under which one Narasarasappa, son of Late Nalle Hanumaiah and R. Arasappa, son of Rudrappa sold an extent of 2 Acres 18 Guntas in lands bearing Survey Nos. 174/3 and 174/4 in favour of Y. Sulochana, wife of Ramachandra Naidu (*Document No. 8*). Pursuant thereto, the name of the aforesaid Y. Sulochana was entered in the revenue records as the owner of lands bearing Survey Nos. 174/3 measuring 4 Guntas and 174/4 measuring 2 Acres 12 Guntas vide an entry in the Mutation Register bearing MR No. 49/1991-92 (*Document No. 9*). I have not been provided with any documents under which the aforesaid Narasarasappa and R. Arasappa acquired title to 2 Acres 18 Guntas in



lands bearing Survey Nos. 174/3 and 174/4. It is however, noticed that the names of Narasarasappa and R. Arasappa has been appearing as the owners of an extent of 2 Acres 18 Guntas in land bearing Survey No. 174 in the RTC from 1980-81 to 1990-91. Further, the sale in favour of Y. Sulochana having been effected as far back as in the year 1991 where she was put in possession of the properties conveyed thereunder, a risk of claim from any third party is to a large extent, mitigated. It would however, be advisable to secure appropriate indemnities from the current owner with regard to any such claim.

6. I have been provided with copies of Record of Rights, Tenancy and Crop Inspection in respect of land bearing Survey No. 174 for the period 1970-71 to 1991-92 (Document No. 10). The RTC for the period 1970-71 to 1979-80 reflects the name of Gundappa as the owner and names of Nagappa, Gundappa, Nagaraju and Ramaiah as the cultivators of land bearing Survey No. 174. The RTC for the period 1980-81 to 1990-91 reflects the name of Gundappa and also reflects the names of Narasarasappa and R. Arasappa as the owners of an extent of 2 Acres 18 Guntas in land bearing Survey No. 174. The RTC for the period 1896-87 to 1990-91 also reflects the name of Nagappa as the owner of an extent of 15 Guntas in Survey No. 174.
7. I have been provided with copies of Record of Rights, Tenancy and Crop Inspection in respect of lands bearing Survey No. 174/3 and Survey No. 174/4 for the period 1992-93 to 2019-20 which reflects the name of Y. Sulochana as the owner and cultivator of lands bearing Survey No. 174/3 measuring 4 Guntas and Survey No. 174/4 measuring 2 Acres 12 (Document Nos. 11 & 12).

PART D

VII. DOCUMENTS SCRUTINIZED FOR SURVEY NO. 175

Sl. No.	Date of Document	Name of Documents
1.	06.08.1958	Order passed by the Special Deputy Commissioner for Abolition of Inams, Bangalore and Kolar Districts, in



**Advocate S Meghana,
BBA.LL.B**

		respect of a portion of land bearing Survey No. 175 measuring 30 Guntas situated in Kaggalipura Village;
2.	10.08.1959	Endorsement issued by the Special Deputy Commissioner for Abolition of Inams, Bangalore and Kolar Districts;
3.		Extract of Register in Form VIII issued by the Tahsildar, Bangalore South Taluk;
4.	17.11.1984	Order bearing No. LRF:INA:2624/1983-84, passed by the Land Tribunal, Bangalore South Taluk;
5.		Extract of the Mutation Register reflecting entry bearing MR No. 22/1984-85;
6.	09.01.1985	Sale Deed executed by A. Rajanna, son of Late Sampangiramaiah in favour of K. M. Gopalakrishna and K. M. Ramesh, sons of K. Munirathnam Naidu registered as Document No. 6225/1984- 85, Book – I, Volume 224, at Pages 235 to 238 in the office of the Sub- Registrar, Bangalore South Taluk in respect of land bearing Survey No. 174 measuring 30 Guntas;
7.		Extract of the Mutation Register reflecting entry bearing MR No. 35/1984-85;
8.	28.10.1991	Sale Deed executed by K. M. Gopalakrishna and K. M. Ramesh in favour of Y. Sulochana, wife of Y. Ramachandra Naidu, registered as Document No. 4346/1991-92, Book – I, Volume 378, at Pages 48 to 54, in the Office of the Sub-Registrar, Kengeri in respect of land bearing Survey No. 174 measuring 30 Guntas;
9.		Extract of the Mutation Register reflecting entry bearing MR No. 45/1991-92;
10.		Extract of the Record of Rights, Tenancy and Crop Inspection in respect of land bearing Survey No. 175 for the

S. Meghana

		period 1970-71 to 1991-92; and
11.		Extract of the Record of Rights, Tenancy and Crop Inspection in respect of land bearing Survey No. 175 for the period 1992-93 to 2019-20.

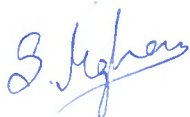
**VIII. COMMENTS AND OBSERVATION ON DOCUMENTS FURNISHED IN
PART D:**

1. The property forming the subject matter of this part (Part D) of the title due diligence report is land bearing Survey No. 175 measuring 30 Guntas situated in Kaggalipura Village, Uttarahalli Hobli, Bengaluru South Taluk, Bengaluru Urban District.
2. It appears that land bearing Survey No. 174 of Kaggalipura Village was earlier attached to an Inam (beneficial grants made in favour of Inamdars on a permanent assessment based on the then existing revenue). Pursuant to the enactment of the Mysore (Religious and Charitable) Inams Abolition Act, 1955 ("**Inams Act**"), the privileged tenurial rights vested in the Inamdars ceased and lands comprised in the Inam stood vested in the State Government, with a right to the Inamdars and tenants to make an application for re-grant of the said lands.
3. I have been provided with a copy of Order dated August 6, 1958, passed by the Special Deputy Commissioner for Abolition of Inams, Bangalore and Kolar Districts, which indicates that the name of Sri Anjineya Devaru Temple was registered as an occupant under the provisions of Section 8 of the Inams Act in respect of the an extent of 30 Guntas in Survey No. 175 (Document No. 1). The Endorsement dated August 10, 1959, issued by the Special Deputy Commissioner for Abolition of Inams, Bangalore and Kolar Districts and the Extract of Register in Form VIII issued by the Tahsildar, Bangalore South Taluk reflect the name of Sri Anjineya Devaru Temple as the occupant of the said land (Document Nos. 2 & 3).
4. It appears that the land was being cultivated by one A. Rajanna, who made an application for registration of his name as the occupant under



the provisions of the Inams Act. The Land Tribunal, vide order bearing No. LRF:INA:2624/1983-84, dated November 17, 1984, registered the said A. Rajanna as the owner of land bearing Survey No. 175 measuring 30 Guntas (Document No. 4). It is seen that the Sri Anjineya Devaru Temple is arrayed as the respondent in the aforesaid proceedings. It is also seen in the aforesaid order that the said A. Rajanna has remitted a sum of Rs. 212/- towards premium as stipulated under the Inams Act. The name of A. Rajanna was recorded as the owner of land bearing Survey No. 175 in the revenue records vide an entry in the Mutation Register bearing MR No. 22/1984-85 (Document No. 5).

5. A. Rajanna conveyed land bearing Survey Nos. 175 measuring 30 Guntas in favour of K. M. Gopalakrishna and K. M. Ramesh, sons of K. Munirathnam Naidu under a Sale Deed dated January 9, 1985 (Document No. 6). The names of K. M. Gopalakrishna and K. M. Ramesh were entered in the revenue records as the owner of land bearing Survey No. 75 measuring 30 Guntas vide an entry bearing MR No. 35/1984-85 in the Mutation Register (Document No. 7).
6. K. M. Gopalakrishna and K. M. Ramesh sold the said land bearing Survey No. 75 measuring 30 Guntas in favour of Y. Sulochana, wife of Ramachandra Naidu under a Sale Deed dated October 28, 1991 (Document No. 8). The name of the aforesaid Y. Sulochana was entered in the revenue records as the owner of land bearing Survey Nos. 175 measuring 30 Guntas vide an entry bearing MR No. 45/1991-92 in the Mutation Register (Document No. 9).
7. I have been provided with copies of Record of Rights, Tenancy and Crop Inspection (RTC) in respect of land bearing Survey No. 175 for the period 1970-71 to 1991-92 (Document No. 10). The RTC for the period 1970-71 to 1974-75 reflects the name of Anjineya Devaru as the owner and the name of one Poojari Seenappa as the cultivator of land bearing Survey No. 175. The RTC for the period 1975-76 to 1979-80 reflects the name of Anjineya Devaru as the owner of land bearing Survey No. 175. It is seen that the name of Poojari Seenappa has been replaced with that of A. Rajanna with effect from the year 1976-77.
8. The RTC for the period 1980-81 to 1985-86 reflects the transfers effected



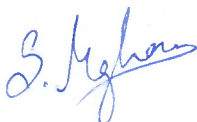
in respect of land bearing Survey No. 175 from Anjineya Devaru to A. Rajanna and from A. Rajanna to K. M. Gopalakrishna and K. M. Ramesh. The RTC for the period 1986-87 to 2001-02 reflects the name of Y. Sulochana as the owner of land bearing Survey No. 175. The RTC for the period 1980-81 to 1991-92 reflects an encumbrance in respect of land bearing Survey No. 175 by way of a mortgage effected by A. Rajanna in favour of S. C. S. Taralu. It is not clear as to whether the said mortgage was discharged. The said mortgage however, is not reflected in the records pertaining to land bearing Survey No. 175 with effect from 1992-93. I have also been informed that the said S. C. S. Taralu is no longer in existence. It is however, advisable to issue a public notice calling for objections from members of the public against the intended transaction.

9. I have been furnished with copies of Record of Rights, Tenancy and Crop Inspection in respect of land bearing Survey No. 175 for the period 1992-93 to 2019-20 which reflect the name of Y. Sulochana Naidu as the owner of land bearing Survey No. 175 (Document No. 11).

PART E

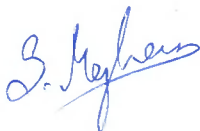
IX. DOCUMENTS SCRUTINIZED FOR SURVEY NO. 175

Sl. No.	Date of Document	Name of Documents
1.	26.11.1992	Official Memorandum bearing No. ALN.SR(S)7/1992-93 issued by the Assistant Commissioner, Bangalore Sub-Division Bangalore;
2.		Extract of the Mutation Register reflecting entry bearing MR No. 11/2000-01;
3.	23.01.2008	Gift Deed executed by Y. Sulochana in favour of R. Ashok Kumar, son of Y. Ramachandra Naidu registered as Document No. BSK-1-05789-2007-08, Book – I, stored in CD No. BSKD16, in the Office of the Sub-Registrar, Banashankari;



**Advocate S Meghana,
BBA.LL.B**

4.	30.03.2011	Joint Development Agreement executed between R. Ashok Kumar, son of Y. Ramachandra Naidu, and Cornerstone Ventures Private Limited registered as Document No. BSK-1-09348- 2010-11, Book – I, stored in CD No. BSKD 108, in the Office of the Sub- Registrar, Banashankari;
5.	30.03.2011	General Power of Attorney executed by R. Ashok Kumar in favour of Cornerstone Ventures Private Limited registered as Document No. BSK-4-00356-2010-11, in Book – IV, stored in CD No. BSKD 108, in the Office of the Sub-Registrar, Banashankari;
6.	29.12.2012	Official Memorandum bearing No. ALN(S.U)S.R(R)81/12-13, issued by the Deputy Commissioner, Bangalore District, Bangalore;
7.		Extract of the Mutation Register reflecting entry bearing MR No. T36/2012-13;
8.	19.07.2018	Deed of Amendment executed between R. Ashok Kumar and Cornerstone Ventures Private Limited registered as Document No. CMP-1-02728-2018-19, Book – 1, stored in CD No. CMPD 202, in the Office of the Sub-Registrar, Chamarajapet;
9.	22.04.2017	Final Award Notice No. NHAI/SLAO/BNG/KAG/AWD/79,80,82/12-13, dated April 22, 2017, issued by the National Highway Authority of India;
10.	22.04.2017	Final Award Notice No. NHAI/SLAO/BNG/KAG/ADD/AWD/13/12- 13, dated April 22, 2017, issued by the National Highway Authority of India;
11.	29.08.2019	Deed of Cancellation of Joint Development Agreement executed between R. Ashok Kumar and Cornerstone Ventures Private Limited registered as Document No.



**Advocate S Meghana,
BBA.LL.B**

		BSG-1-03493-2019-20, Book – I, stored in CD No. BSGD 511, in the Office of the Sub-Registrar, Basavanagudi;
12.	29.08.2019	Deed of Revocation of General Power of Attorney executed by R. Ashok Kumar and Cornerstone Ventures Private Limited registered as Document No. BSG-4-00181-2019-20, Book – IV, stored in CD No. BSGD511, in the Office of the Sub-Registrar, Basavanagudi;
13.	05.05.2008	Memorandum executed by (i) Cornerstone Property Investments Private Limited; (ii) Cornerstone Properties Private Limited; (iii) B. P. Kumar Babu, M. Prabhakar Reddy; (iv) Kumuda Kumar Babu, wife of B. P. Kumar Babu; (v) Ashok Kumar, son of Y. Ramachandra Naidu; (vi) R. Manjunath, son of Late Ramakrishnappa; (vii) B. P. Ramesh, son of M. Prabhakar Reddy in favour of Vijaya Bank, Indiranagar Branch registered as Document No. MDP-I-00488/2008-09, Book – I, stored in CD No. MDPD 21, in the Office of the Sub-Registrar, Mahadevapura;
14.	11.05.2009	Discharge Deed executed by Vijaya Bank, Indiranagar Branch in favour of (i) Cornerstone Property Investments Private Limited; (ii) Cornerstone Properties Private Limited; (iii) B. P. Kumar Bapu, M. Prabhakar Reddy; (iv) Kumuda Kumar Babu, wife of B. P. Kumar Babu; (v) Ashok Kumar, son of Y. Ramachandra Naidu; (vi) R. Manjunath, son of Late Ramakrishnappa; (vii) B. P. Ramesh, son of M. Prabhakar Reddy registered as Document No. MDP-I-00396/2009- 10, Book – I, stored in CD No. MDPD 37, in the Office of the Sub- Registrar, Mahadevapura;
15.	26.12.2011	Memorandum of Deposit of Title Deeds executed by (i) R. Ashok Kumar, son of Y. Ramachandra Naidu; (ii) Cornerstone Ventures Private Limited; (iii) Kumuda Kumar Babu, wife of B. P. Kumar Babu; and (iv) Haritha Reddy Jakka, wife of Jakka Bhakthavatsal Reddy, in favour of Oriental Bank of Commerce registered as Document No. SHV-1-01904-2011-12, Book – I, stored in CD No. SHVD

S. Meghana

**Advocate S Meghana,
BBA.LL.B**

		136, in the Office of the Sub-Registrar, Shivajinagar;
16.	31.03.2016	Deed of Discharge executed by Oriental Bank of Commerce, in favour of (i) R. Ashok Kumar, son of Y. Ramachandra Naidu; and (ii) Cornerstone Ventures Private Limited registered as Document No. BSK-1-00025/2016-17, Book – I, stored in CD No. BSKD 352, in the Office of the Sub-Registrar, Banashankari;
17.	02.04.2016	Mortgage Deed by Deposit of Title Deeds (without possession) executed by (i) Cornerstone Properties Private Limited; (ii) B. P. Kumar Babu, M. Prabhakar Reddy; (iii) Kumuda Kumar Babu, wife of B. P. Kumar Babu; (iv) Cornerstone Ventures Private Limited; and (v) R. Ashok Kumar, son of Y. Ramachandra Naidu, in favour of PNB Housing Finance Limited, inter alia in respect of the Larger Land, registered as Document No. HLS-1-00043/2016-17, Book – I, stored in CD No. HLSD 130, in the Office of the Sub-Registrar, Halasuru;
18.	11.07.2018	Release Deed executed by PNB Housing Finance Limited in favour of (i) Cornerstone Properties Private Limited; (ii) B.P. Kumar Babu, M. Prabhakar Reddy; (iii) Corner Stone Ventures Private Limited; and (iv) R. Ashok Kumar, son of Y. Ramachandra Naidu, thereby evidencing the clearing of charge created in respect of the Larger Land, registered as Document No. BSK-1-04832/2018-19, Book – I, stored in CD No. BSKD 446, in the Office of the Sub-Registrar, Banashankari;
19.	02.09.2019	Joint Development Agreement entered between Mr. R. Ashok Kumar S/o Ramachandra Naidu (First Party/Owner) and M/s BREN CORPORATION PVT. LTD represented by its Director Mr. J. Boopesh Reddy (Second Party/Developer), in respect of Property bearing Survey No.174/3 measuring 04 Guntas, Survey No.174/4 measuring 2 Acres 1.13 Guntas, Survey No.174/5 measuring 17.12 Guntas, Survey No.174/7 measuring 17

S. Meghana

**Advocate S Meghana,
BBA.LL.B**

		Guntas, Survey No.174/6 measuring 03 Guntas and 01 Gunta Kharab, Survey No.174/8 measuring 26 Guntas and Survey No.175 measuring 30 Guntas, in all totally measuring 4 Acres 18.25 Guntas with 1 Gunta Kharab and registered as Document No. 4242/2019-20 in Book-I, stored in C.D. No. CMPD 395, in the Office of the Senior Sub- Registrar, Basavanagudi (Chamarajapete), Bangalore.
20.	16.09.2019	General Power of Attorney executed by Mr. R. Ashok Kumar S/o Ramachandra Naidu (First Party/Owner) in favour of M/s BREN CORPORATION PVT. LTD represented by its Director Mr. J. Boopesh Reddy (Second Party/Developer), in respect of Property bearing Survey No.174/3 measuring 04 Guntas, Survey No.174/4 measuring 2 Acres 1.13 Guntas, Survey No.174/5 measuring 17.12 Guntas, Survey No.174/7 measuring 17 Guntas, Survey No.174/6 measuring 03 Guntas and 01 Gunta Kharab, Survey No.174/8 measuring 26 Guntas and Survey No.175 measuring 30 Guntas, in all totally measuring 4 Acres 18.25 Guntas with 1 Gunta Kharab registered as Document No. 256/2019-20 in Book-IV and stored in C.D.No. CMPD 395 in the Office of the Sub-Registrar, Basavanagudi, (Chamarajapete), Bangalore.
21.	06.12.2023	Relinquishment Deed executed by M/s Bren Corporation, represented by its Director Mr. J. Boopesh Reddy in favour of Member Secretary, Kanakapura Planning Authority, Kanakapura, registered as Document No. 11136/2023-24, in Book-I, stored in Centralized Data Cell in Electronic Form in the Office of the Sub-Registrar of Basavanagudi (Banshankari), in respect of Survey No. 174/4 measuring 1 Acre 13.08 Guntas, 174/5 measuring 1.08 Guntas, 174/6 measuring 3 Guntas, 174/7 measuring 17 Guntas, 174/8 measuring 26 Guntas and Survey No. 175 measuring 30 Guntas totally measuring 3 Acres 11 Guntas.
22.	20.12.2023	Allocation Agreement executed by and between Mr. R. Ashok Kumar and M/s Bren Corporation Private Limited,

S. Meghana

**Advocate S Meghana,
BBA.LL.B**

		represented by its Director Mr. J. Boopesh Reddy in respect of Property.
23.		Map of Kaggalipura Village;
24.		Moola Tippiani issued in respect of Survey No. 174 of Kaggalipura Village;
25.		Moola Tippiani issued in respect of Survey No. 175 of Kaggalipura Village;
26.		Extract of Karnataka Revision Settlement Akarband issued in respect of lands comprised in Survey Nos. 174/3, 174/4, 174/5, 174/6, 174/7, 174/8 and 175 of Kaggalipura Village;
27.		Form 11A (Tax Demand Register), issued by the Kaggalipura Village Panchayat, evidencing the demand of property tax in respect of the Larger Area for the years 2015-16 and 2016-17;
28.		Receipt bearing No. 261691 dated November 25, 2014, for having paid property tax in respect of the Property for the year 2014-15;
29.		Endorsement bearing No. R.K/C.R/2165/2019-20, dated August 22, 2019, issued by the Tahsildar Grade-2, Bangalore South Taluk;
30.		Endorsement bearing No. L.R.F/C.R/553/2016-17, dated August 24, 2016, issued by the Tahsildar, Bangalore South Taluk;
31.		Endorsement bearing No. LRF.NTC/CR/644/2013-14, dated November 16, 2013, issued by the Special Tahsildar, Bangalore;
32.		Endorsement bearing No. L.R.F/C.R/535/2016-17, dated August 24, 2016, issued by the Tahsildar, Bangalore South

S. Meghana

**Advocate S Meghana,
BBA.LL.B**

		Taluk;
33.		Endorsement bearing No. PTCL/79(A)(B)CR/132/2012-13, dated December 11, 2012, issued by the Assistant Commissioner, Bangalore South Sub-Division;
34.	28.12.2020	No-objection Certificate issued by Bharat Sanchar Nigam Limited.
35.	04.09.2020	No-objection Certificate issued by State Level Environmental Impact Assessment Authority-Karnataka bearing No.SEIAA 115 CON 2020.
36.	12.11.2020	No-objection Certificate issued by Karnataka State Pollution Control Board - Consent for Establishment (CFE) - bearing No. CTE-321563.
37.	09.10.2023	No-objection Certificate issued by Airport Authority of India bearing No. HOSU/SOUTH/B/092223/792874.
38.	27.11.2023	No-objection Certificate issued by Karnataka State Fire and Emergency Services bearing Docket No. KSFES/NOC/233/2023.
39.	10.10.2023	No-objection Certificate issued by National Highway Authority of India bearing No. S.L.A.O/L.A.Q.D/B.N.G/26/2023-24.
40.	19.12.2023	Development Plan and Work Order sanctioned from the Kanakapura Planning Authority, Kanakapura, bearing D.P. No. K.P.A./L.A.O/67/2023-24/1797.
41.	19.01.2024	E-Khatha (Form 9 and 11A) bearing No. 150200300100326037 in respect of Survey Nos. 174/4, 174/5, 174/6, 174/7, 174/8 and 175
42.		Encumbrance Certificates issued in respect of Survey No. 174/3, measuring 4 Guntas and Survey No. 174/4,



**Advocate S Meghana,
BBA.LL.B**

		measuring 2 Acres 12 Guntas for the period April 1, 1960 to May 31, 1989, June 1, 1989 to March 31, 2004 and April 1, 1992 to March 31, 2005;
43.		Encumbrance Certificates issued in respect of Survey No. 174/5 measuring 27 Guntas and Survey No. 174/7 measuring 17 Guntas, for the period April 1, 1960 to May 31, 1989, June 1, 1989 to March 31, 2004 and April 1, 1992 to March 31, 2005;
44.		Encumbrance Certificates issued in respect of Survey No. 174, measuring 1 Acre, (presently bearing Survey No. 174/6 & 174/8) for the period June 1, 1989 to March 31, 2004;
45.		Encumbrance Certificates issued in respect of Survey No. 175, measuring 30 Guntas for the period April 1, 1960 to May 31, 1989, June 1, 1989 to March 31, 2004 and April 1, 1992 to March 31, 2005;
46.		Encumbrance Certificates issued in respect of Survey Nos. 174/3, 174/4, 174/5, 174/6, 174/7, 174/8 and 175 for the period April 1, 2004 to July 17, 2018;
47.		Encumbrance Certificates issued in respect of Survey No. 175 for the period April 1, 2004 to August 31, 2019; and
48.		Encumbrance Certificate issued in respect of Survey Nos. 174/4 and 174/3 for the period April 1, 2016 to June 28, 2023;
49.		Encumbrance Certificate issued in respect of Survey Nos. 174/7 and 174/5 for the period April 1, 2016 to June 28, 2023
50.		Encumbrance Certificate issued in respect of Survey Nos. 174/8 and 174/6 for the period April 1, 2016 to June 28, 2023;
51.		Encumbrance Certificate issued in respect of Survey No. 175 for the period April 1, 2016 to June 28, 2023
52.		Encumbrance Certificate issued in respect of Survey Nos. 174/6

S. Meghana

		and 174/8 for the period June 1, 2023 to December 29, 2023
53.		Encumbrance Certificate issued in respect of Survey Nos. 174/5 and 174/7 for the period June 1, 2023 to December 29, 2023

X. COMMENTS AND OBSERVATION ON DOCUMENTS FURNISHED IN PART E:

1. As noted above, Y. Sulochana, wife of Y. Ramachandra Naidu acquired title to lands bearing Survey No. 174/3 measuring 4 Guntas, Survey No. 174/4 measuring 2 Acres 12 Guntas, Survey No. 174/5 measuring 27 Guntas, Survey Nos. 174/6 and 174/8 measuring 1 Acre (purchased as composite Survey No. 174 measuring 1 Acre), Survey No. 174/7 measuring 17 Guntas and Survey No. 175 measuring 30 Guntas in the manner specified in Part A to Part D of this title due diligence report. The extent of lands in Survey Nos. 174/6 and 174/8 having been reduced to 3 Guntas and 26 Guntas respectively in terms of the sub-division process, Y. Sulochana retained title to a total extent of 4 Acres 39 Guntas in lands bearing Survey Nos. 174/3, 174/4, 174/5, 174/6, 174/7, 174/8 and 175 of Kaggalipura Village (hereinafter referred to as the "Larger Lands" for the sake of brevity. It is to be noted that the Larger Property excludes additional lands in Survey Nos. 174/4 and 174/6 measuring 4 Guntas and 1 Gunta respectively in the nature of unarable lands that have been classified as "B" Kharab, title to which vests with the Government of Karnataka.
2. Y. Sulochana secured conversion of the Larger Lands together with other lands totally measuring 9 Acres 2 Guntas partially for industrial purposes and partially for commercial purposes under Official Memorandum bearing No. ALN.SR(S)7/1992-93 dated November 26, 1992 issued by the Assistant Commissioner, Bangalore Sub-Division Bangalore (Document No. 1). The aforesaid conversion was recorded in the revenue records vide an entry in the Mutation Register bearing MR No. 11/2000-01 (Document No. 2).
3. Y. Sulochana conveyed the Larger Lands by way of gift in favour of her



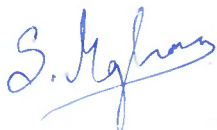
son R. Ashok, son of Y. Ramachandra Naidu under a Gift Deed dated January 23, 2008 (Document No. 3).

4. Having acquired title to the Larger Lands as specified above, R. Ashok entered into a Joint Development Agreement dated March 30, 2011 in respect thereof in favour of Cornerstone Ventures Private Limited for the development of the Larger Lands into a residential enclave (Document No. 4). R. Ashok also executed a Power of Attorney dated March 30, 2011 under which he authorised the said Cornerstone Ventures Private Limited to develop and sell the Larger Lands in terms of the aforesaid Joint Development Agreement dated March 30, 2011 (Document No. 5).
5. The Larger Lands were converted for residential use vide Official Memorandum bearing No. ALN(S.U)S.R(R)81/12-13, dated December 29, 2012, issued by the Deputy Commissioner, Bangalore District, Bangalore (Document No. 6). The said conversion for residential use was recorded in the revenue records vide an entry in the Mutation Register bearing MR No. T36/2012-13 (Document No. 7).
6. I have been provided with a copy of Deed of Amendment dated July 19, 2018 executed between R. Ashok Kumar and Cornerstone Ventures Private Limited under which the terms of the Joint Development Agreement dated March 30, 2011 were amended and thereby the lands forming the subject matter of development was reduced to 4 Acres 18.25 Guntas forming part of the Larger Lands (Document No. 8). It is seen in page 2 of the Deed of Amendment dated July 19, 2018 that an extent of 10.87 Guntas in land bearing Survey No. 174/4 and an extent of 9.88 Guntas in land bearing Survey No. 174/5 were acquired for realignment of the National Highway No. 209 / formation of Bye-Pass.
7. I have been provided with Final Award Notice No. NHAI/SLAO/BNG/KAG/AWD/79,80,82/12-13, dated April 22, 2017 and Final Award Notice No. NHAI/SLAO/BNG/KAG/ADD/AWD/13/12-13, dated April 22, 2017, issued by the National Highway Authority of India which indicate acquisition of a total extent of 10.87 Guntas in land bearing Survey No. 174/4 and 9.88 Guntas in land bearing Survey No.174/5



(Document Nos. 9 & 10). It is however, necessary to ascertain the location of the lands forming the subject matter of acquisition under the aforesaid two acquisition proceedings.

8. The aforesaid arrangement of joint development of the Larger Lands envisaged under Joint Development Agreement dated March 30, 2011 was terminated by the parties thereto under a Deed of Cancellation of Joint Development Agreement dated August 29, 2019 (Document No. 11). Consequently, R. Ashok revoked the Power of Attorney dated August 29, 2019 under a Deed of Revocation of General Power of Attorney dated August 29, 2019 (Document No. 12).
9. I have been provided with a copy of Memorandum dated May 5, 2008 under which R. Ashok Kumar created a mortgage over the Larger Lands in favour of Vijaya Bank for financial assistance obtained along with Cornerstone Property Investments Private Limited, Cornerstone Properties Private Limited B. P. Kumar Babu, Kumuda Kumar Babu, R. Manjunath and B. P. Ramesh (Document No. 13). It is seen that the said mortgage has been discharged by the execution of a Discharge Deed dated May 11, 2009 (Document No. 14).
10. Subsequently, R. Ashok Kumar had created a mortgage over the Larger Lands in favour of Oriental Bank of Commerce for financial assistance obtained along with Cornerstone Ventures Private Limited, Kumuda Kumar Babu and Haritha Reddy Jakka under a Memorandum of Deposit of Title Deeds dated December 26, 2011 (Document No. 15). The said mortgage was also discharged vide Deed of Discharge dated March 31, 2016 (Document No. 16).
11. The Larger Lands were again the subject matter of mortgage in favour of PNB Housing Finance Limited vide Mortgage Deed by Deposit of Title Deeds (without possession) dated April 2, 2016 for security towards financial assistance availed by R. Ashok Kumar along with Cornerstone Properties Private Limited, B. P. Kumar Babu, Kumuda Kumar Babu and Cornerstone Ventures Private Limited (Document No. 17). The said mortgage has been discharged vide a Deed of Release dated July 11, 2018 executed by PNB Housing Finance Limited (Document No. 18).



12. Further, Sri. R. Ashok Kumar desirous of developing the Property bearing Survey No.174/3 measuring 04 Guntas, Survey No.174/4 measuring 2 Acres 1.13 Guntas, Survey No.174/5 measuring 17.12 Guntas, Survey No.174/7 measuring 17 Guntas, Survey No.174/6 measuring 03 Guntas and 01 Gunta Kharab, Survey No.174/8 measuring 26 Guntas and Survey No.175 measuring 30 Guntas, in all totally measuring 4 Acres 18.25 Guntas with 1 Gunta Kharab of Kaggalipura Village for Residential Development consisting of Residential Apartments entrusted the same to M/s. Bren Corporation Private Limited (Developer) in terms of a Joint Development Agreement dated September 02, 2019, registered as Document No. 4242/2019-20 in Book-I and stored in C.D. No. CMPD 395 in the Office of the Senior Sub- Registrar, Basavanagudi (Chamarajapete), Bangalore (Document No.19) and on the same day executed a General Power of Attorney, registered as Document No. 256/2019-20 in Book-IV and stored in C.D.No. CMPD 395 in the Office of the Sub- Registrar, Basavanagudi (Document No.20) empowering the Developer to secure license and sanctioned plan and other approvals for developing the Schedule Property and sell their share in the Property.
13. I have been furnished with Relinquishment Deed dated December 06, 2023 executed by M/s Bren Corporation, represented by its Director Mr. J. Boopesh Reddy in favour of Member Secretary, Kanakapura Planning Authority, Kanakapura, relinquishing extent of 13253.40 Sq.mtrs for Civic Amenities, Park, and Open Spaces in Survey No. 174/4 measuring 1 Acre 13.08 Guntas, 174/5 measuring 1.08 Guntas, 174/6 measuring 3 Guntas, 174/7 measuring 17 Guntas, 174/8 measuring 26 Guntas and Survey No. 175 measuring 30 Guntas totally measuring 3 Acres 11 Guntas for securing Development Plan and Sanction. (Document No. 21).
14. I have been furnished with Allocation Agreement dated December 20, 2023 (Document No. 22) executed between Mr. R. Ashok Kumar and M/s Bren Corporation Private Limited, represented by its Director Mr. J. Boopesh Reddy, both the parties based on the Development Plan and sanction have earmarked the apartments, built-up areas, car parking and commercial/retail office space in amenity block as per sharing ratio mutually agreed in the Joint Development Agreement.



15. I have been provided with the Map of Kaggalipura Village (Document No. 23) which indicates the location and boundaries of lands bearing Survey Nos. 174 and 175 in the said village.
16. I have been provided with copies of the Moola Tippani issued in respect of Survey Nos. 174 and 175 of Kaggalipura Village (Document Nos. 24 & 25) which reveal the shape and dimensions of the said lands.
17. I have been provided with a copy of the extract of Karnataka Revision Settlement Akarband issued in respect of lands comprised in Survey Nos. 174/3, 174/4, 174/5, 174/6, 174/7, 174/8 and 175 of Kaggalipura Village (Document No. 26). It is seen that land bearing Survey No. 174/3 measures 4 Guntas of cultivable land; land bearing Survey No. 174/4 comprises 2 Acres 12 Guntas of cultivable land excluding 4 Guntas of unarable land classified as B Kharab); land bearing Survey No. 174/5 comprises 27 Guntas of cultivable land; land bearing Survey No. 174/6 comprises 3 Guntas of cultivable land excluding 1 Gunta of unarable land classified as B Kharab); land bearing Survey No. 174/7 comprises 17 Guntas of cultivable land; land bearing Survey No. 174/8 comprises 26 Guntas of cultivable land; and land bearing Survey No. 175 comprises 30 Guntas of cultivable land.
18. I have been provided with Form 11A (Tax Demand Register), issued by the Kaggalipura Village Panchayat, evidencing the demand of property tax in respect of the Larger Area for the years 2015-16 and 2016-17 (Document No. 27). It appears that the Property has been assessed to tax as residential land under Khata No. 135 in the name of Y. Sulochana. It is advisable to secure an e-Khata in respect of the Property in the name of Y. Sulochana. I have been provided with a copy of Receipt bearing No. 261691 dated November 25, 2014, for having paid property tax in respect of the Property for the year 2014-15 (Document No. 28). However, I have not been provided with the receipts evidencing the payment of property tax in respect of the Property for the years 2015-16 to 2023-24, and it is advisable to secure the same.
19. As narrated above, Y. Sulochana purchased a total extent of 4 Acres 39

S. Meghana

Guntas in lands bearing Survey Nos. 174/3, 174/4, 174/5, 174/6, 174/7, 174/8 and 175. An extent of 10.87 Guntas in land bearing Survey No. 174/4 and an extent of 9.88 Guntas in land bearing Survey No. 174/5 were acquired for realignment of National Highway (Bye-pass). The extent of lands over which R. Ashok would therefore, be vested with ownership rights would be 4 Acres 18.25 Guntas.

ENDORSEMENTS:

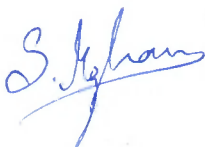
20. I have been provided with a copy of Endorsement bearing No. R.K/C.R/2165/2019-20, dated August 22, 2019, issued by the Tahsildar Grade-2, Bangalore South Taluk (*Document No. 29*), stating that the extracts of Record of Rights and Index of Lands issued in respect of lands bearing Survey Nos. 174/3, 174/4, 174/5, 174/6, 174/7, 174/8 and 175 of Kaggalipura cannot be provided as the same is unavailable in the revenue records.
21. I have been provided with a copy of Endorsement bearing No. L.R.F/C.R/553/2016-17, dated August 24, 2016, issued by the Tahsildar, Bangalore South Taluk (*Document No.30*), to the effect that no tenancy applications have been made in Form 7 and 7A under Sections 48A of the Karnataka Land Reforms Act, 1961 in respect of lands bearing Survey No. 174/6 (3 Guntas) and 174/7 (17 Guntas) of Kaggalipura Village. I have also been provided with the Endorsement bearing No. LRF.NTC/CR/644/2013-14, dated November 16, 2013, issued by the Special Tahsildar, Bangalore (*Document No. 31*), to the effect that no tenancy applications have been made in Form 7 and 7A under Sections 48A of the Karnataka Land Reforms Act, 1961 in respect of lands bearing Survey No. 174/4 and 174/5 of Kaggalipura Village.
22. I have been provided with the Endorsement bearing No. L.R.F/C.R/535/2016-17, dated August 24, 2016, issued by the Tahsildar, Bangalore South Taluk (*Document No. 32*), to the effect that no tenancy applications have been made in Form 7 and 7A under Sections 48A of the Karnataka Land Reforms Act, 1961 in respect of lands bearing Survey No. 174/3 (4 Guntas) and 174/4 (2 Acres 12 Guntas) of Kaggalipura Village.



23. I have been provided with the Endorsement bearing No. PTCL/79(A)(B)CR/132/2012-13, dated December 11, 2012, issued by the Assistant Commissioner, Bangalore South Sub-Division (Document No.33), confirming that the lands comprised in Survey Nos. 174/3, 174/4, 174/5, 174/6, 174/7, 174/8 and 175 of Kaggalipura Village, do not come under the purview of the provisions of the Karnataka Scheduled Castes and Scheduled Tribes (Prohibition of Transfer of Certain Lands) Act, 1978.
24. Further, I have been furnished with No-Objection certificates issued by Bharat Sanchar Nigam Limited, State Level Environmental Impact Assessment Authority-Karnataka, Karnataka State Pollution Control Board - Consent for Establishment (CFE), Airport Authority of India, Karnataka State Fire and Emergency Services and National Highway Authority of India with respect to Property. (Document No.34 to 39)
25. Further, I have been furnished with Development Plan and Work Order sanctioned from the Kanakapura Planning Authority, Kanakapura, for construction of a 'Residential Apartment Buildings' comprising of Tower-01 and Tower-02, Tower-01 consisting of 02 Basements, Ground Floor plus 24 Upper Floors and Terrace Floor, Tower-02 consisting of 02 Basements, Ground Floor plus 18 Upper Floors and Terrace Floor. In addition to the above, the Developer has also secured sanction for construction of an Amenity Block consisting of Ground Floor plus 03 Upper Floors and Terrace Floor facing the Road. (Document No.40)
26. I have been furnished with E-Khatha (Form 9 and 11A) bearing No. 150200300100326037 respectively of Survey Nos. 174/4, 174/5, 174/6, 174/7, 174/8 and 175 issued by the Government of Karnataka Department of Rural Development and Panchayath Raj (Document No.41).

ENCUMBRANCE CERTIFICATES:

27. I have been provided with copies of the following Encumbrance Certificates:
 - a. Encumbrance Certificates issued in respect of Survey No. 174/3, measuring 4 Guntas and Survey No. 174/4, measuring 2 Acres 12



Guntas for the period April 1, 1960 to May 31, 1989, June 1, 1989 to March 31, 2004 and April 1, 1992 to March 31, 2005 (Document No. 42);

- b. Encumbrance Certificates issued in respect of Survey No. 174/5 measuring 27 Guntas and Survey No. 174/7 measuring 17 Guntas, for the period April 1, 1960 to May 31, 1989, June 1, 1989 to March 31, 2004 and April 1, 1992 to March 31, 2005 (Document No. 43);
- c. Encumbrance Certificates issued in respect of Survey No. 174, measuring 1 Acre, (presently bearing Survey No. 174/6 & 174/8) for the period June 1, 1989 to March 31, 2004 (Document No. 44);
- d. Encumbrance Certificates issued in respect of Survey No. 175, measuring 30 Guntas for the period April 1, 1960 to May 31, 1989, June 1, 1989 to March 31, 2004 and April 1, 1992 to March 31, 2005 (Document No. 45);
- e. Encumbrance Certificates issued in respect of Survey Nos. 174/3, 174/4, 174/5, 174/6, 174/7, 174/8 and 175 for the period April 1, 2004 to July 17, 2018 (Document No. 46);
- f. Encumbrance Certificates issued in respect of Survey No. 175 for the period April 1, 2004 to August 31, 2019 (Document No. 47);
- g. Encumbrance Certificate issued in respect of Survey Nos. 174/4 and 174/3 for the period April 1, 2016 to June 28, 2023 (Document No. 48);
- h. Encumbrance Certificate issued in respect of Survey Nos. 174/7 and 174/5 for the period April 1, 2016 to June 28, 2023 (Document No. 49);
- i. Encumbrance Certificate issued in respect of Survey Nos. 174/8 and 174/6 for the period April 1, 2016 to June 28, 2023 (Document No. 50);
- j. Encumbrance Certificate issued in respect of Survey No. 175 for the period April 1, 2016 to June 28, 2023 (Document No. 51);
- k. Encumbrance Certificate issued in respect of Survey Nos. 174/6 and 174/8 for the period June 1, 2023 to December 29, 2023 (Document No. 52) and;
- l. Encumbrance Certificate issued in respect of Survey Nos. 174/5 and 174/7 for the period June 1, 2023 to December 29, 2023 (Document No. 53); I have not been provided with the Encumbrance Certificate for the period December 29, 2023 to till date in respect of the Property, and it is advisable to secure the same.



CONCLUSION :

In view of our observations mentioned above and based on the documents furnished to us, I am of the opinion that the **R. ASHOK**, son of Y. Ramachandra Naidu has a clear and marketable title to the Property and free from all encumbrances during the said periods referred to in the Encumbrance Certificates, however subject to the rights of **M/s. BREN CORPORATION PRIVATE LIMITED** under the Joint Development Agreement and General Power of Attorney both dated 02/09/2019. I have also assumed that copies of the documents made available to me were/are properly authorized and executed. In the event of facts in this opinion are different from my conclusions or assumptions from any documents not furnished and which may contradict my opinion, it may or may not have an impact on my opinion. Further during discussion, I have also relied upon various oral representations made to me by your representatives in respect of the Schedule Property. Other than as specifically mentioned, I have not inspected the Schedule Property or verified physically, possession or boundaries and not independently validated the information provided to me with any external sources and not independently validated with the records of the Jurisdictional Sub-Registrar, Revenue Authorities. I have not conducted any independent searches at the Courts or Forums or Government Offices in relation to the Schedule Property in respect of any litigations and no responsibility will be accepted by me in respect thereto to you or to any third party with regard to this opinion. This opinion is provided to you on the basis of the documents referred to above and representations and observations made etc., as aforesaid and further this opinion shall not be used as evidence in any courts or other forums or Government/authorities.

Yours Faithfully,



Advocate S.Meghana 
BBA.LLB

KAR/3217/2019