

04.12.2022

To,

M/s Axis Concept Construction Pvt., Ltd.
No.555, Axis, Padegal, 4th Floor,
9th Cross, J.P. Nagar, 3rd Phase,
Near Sony Centre, Bengaluru-560078

LEGAL OPINION

Reg: Legal Opinion in respect of land bearing Sy.No.46, situated at Sonnappanahalli Village, Jala Hobli, Bengaluru North Taluk, Bengaluru:

List of Documents Produced for scrutiny

Sl. No.	Date of document	DESCRIPTION	Original/ certified Photostat copy
1.	16.09.2022	General Power of Attorney executed by Smt.S.M.Krish-namma and Shri S.K.Ananth Kumar in favour of M/s Axis Concept Construction Pvt. Ltd represented by its Managing Director (19.08 Guntas);	Photostat copy
2.	16.09.2022	General Power of Attorney executed by Smt.S.K.Sumithra and Smt.S.K.Vanishree in favour of M/s Axis Concept Construction Pvt. Ltd represented by its Managing Director;	Photostat copy
3.	16.09.2022	Joint Development Agreement No.06508-2022-23 executed between Smt. S.M.Krishnamma and Shri S.K.Ananth Kumar AND M/s Axis Concept Construction Pvt. Ltd represented by its Managing Director - Shri R.Harish Babu;	Photostat copy
4.	16.09.2022	Joint Development Agreement No.06513-2022-23 executed between Smt.S.K.Sumithra and Smt.S.K.Vanishree in favour of M/s Axis Concept Construction Pvt. Ltd represented by its Managing	Photostat copy

		Director - Shri R.Harish Babu;	
5.	16.09.2022	General Power of Attorney No.00410-2022-23 executed by Smt.S.M.Krishnamma and Shri S.K.Ananth Kumar in favour of M/s Axis Concept Construction Pvt. Ltd represented by its Managing Director (3 Guntas);	Photostat copy
6.	16.09.2022	Joint Development Agreement No.06511-2022-23 executed between Smt. S.M.Krishnamma and Shri S.K.Ananth Kumar AND M/s Axis Concept Construction Pvt. Ltd represented by its Managing Director - Shri R.Harish Babu;	Photostat copy
7.	15.11.2022	Memorandum of Understanding executed between Shri N.Ashwatha Narayana & 5 others and Smt.S.M.Krish-namma & 4 others AND M/s Axis Concept Construction Pvt. Ltd.;	Photostat copy
8.	11.08.2022	Partition Deed executed by and amongst Smt.S.M.Krish-namma, Shri S.K.Ananth Kumar, Smt.S.K.Sumithra and Smt.S.K.Vaishree;	Photostat copy
9.	15.03.1966	Grant Certificate issued by Tahsildar, Devanahalli Taluk;	Photostat copy
10.	19.12.1979	Receipt;	Photostat copy
11.	05.04.1980	Hukum;	Photostat copy
12.	-	Record of Rights and pahani for the period 1974-75 to 2001-2002;	Photostat copy
13.	03.9.2022	Record of Rights and Pahani for the period 2001-2002 to 2022-2023 issued by Village Accountant (VA for short);	Photostat copy
14.	-	Tax Demand Register for the period 93-94 issued by VA;	Photostat copy
15.	-	Index of Land issued by Tahsildar;	Photostat copy
16.	23.09.2021	Mutation Register Extract bearing M.R.No.H3/2021-2022;	Photostat copy
17.	-	Re-Survey Tippan dt.29.01.2006;	Photostat copy



18.	-	Karnataka Settlement Akarband (Utaru);	Photostat copy
19.	-	Family Tree of S.M.Krishnappa	Photostat copy
20.	06.08.1980	Official Memorandum bearing No.ALN.SR.75/80-81 issued by Tahildar, Devanahalli Taluk;	Photostat copy
21.	09.03.2022	Encumbrance Certificate for the period 1.6.89 to 31.3.04;	Photostat copy
22.	04.12.2014	Encumbrance Certificate for the period 01.04.2004 to 03.12.2014;	Photostat copy
23.	01.08.2021	Encumbrance Certificate for the period 01.08.2021 to 01.08.2021;	Photostat copy
24.	17.09.2022	Encumbrance Certificate No.17145 for the period 01.04.2022 to 16.09.2022;	Photostat copy
25.	17.09.2022	Encumbrance Certificate No.17147 for the period 01.04.2022 to 16.09.2022;	Photostat copy
26.	17.09.2022	Encumbrance Certificate No.17148 for the period 01.04.2022 to 16.09.2022;	Photostat copy
27.	-	Receipt for payment of Assessment No.7289;	Photostat copy
28.	-	Mutation Register No.9/92-93 issued by Grama Panchayath;	Photostat copy
29.	22.08.1994	Tippani.Uttara/Sketch issued by Bengaluru Sub-Division;	Photostat copy
30.	-	Village Map of Sonnappanahalli;	Photostat copy
31.	16.09.2022	Rectification of Partition Deed executed by and amongst Smt. S.M. Krishnamma and others;	Photostat copy

DESCRIPTION OF PROPPERTY

Property of Smt.SM.Krishnamma and Shri S.K.Ananth Krishna

SCHEDULE 'A' PROPERTY

Item No.1

All that piece and parcel of undeveloped land bearing Sy.No.46 measuring 26.08 guntas, situated at Sonnappanahalli Village, Jala Hobli, Bengaluru North Taluk, Bengaluru including all rights and appurtenances whatsoever whether underneath or above the surface and bounded on the -

East by : Land bearing Sy.No.45;
West by : Land bearing Sy.No.47;
North by : Compound wall and Private property;
South by : R o a d,

Item No.2

All that piece and parcel of undeveloped land bearing Sy.No.46 measuring 3 guntas out of measurement of 26.08 guntas , situated at Sonnappanahalli Village, Jala Hobli, Bengaluru North Taluk, Bengaluru including all rights and appurtenances whatsoever whether underneath or above the surface and bounded on the -

East by : Land bearing Sy.No.45;
West by : Land bearing Sy.No.47;
North by : Remaining portion of land belongs to Smt.S.M.Krishnamma and
Shri S.K.Ananth Kumar;
South by : R o a d,



SCHEDULE B PROPERTY

Property of Smt.S.K.Sumithra and Smt.S.K.Vanishree

All that piece and parcel of undeveloped land bearing Sy.No.46 measuring 13.5 guntas, situated at Sonnappanahalli Village, Jala Hobli, Bengaluru North Taluk, Bengaluru including all rights and appurtenances whatsoever whether underneath or above the surface and bounded on the -

East by : Land bearing Sy.No.45;
West by : Land bearing Sy.No.47;
North by : Compound wall and Private property;
South by : Remaining portion of land belongs to Smt.S.M.Krishnamma and Shri S.K.Ananth Kumar;

III. GLOSSARY OF REVENUE TERMS USED IN THE OPINION

AKARBAND : A Register Showing the area and rate of assessment of holdings;

ACRE : A piece of land containing 4,840 Sq.Yards or 43,560 Sq. ft. area of land.

GUNTA : A piece of square land equal to 121 Square yards or 40th part of an Acre;

HISSA : A share, a part, a lot a portion, a share of revenue or rent;

INAM : A gift or a benefaction of land etc., from a superior to an inferior;

KARDA : Principal revenue register, which signifies the occupant or the eldest or principal of several joint occupants whose names are authorisedly entered in the Government records as holding and the extent of land they hold;

MUTATION : Transfer of right or change in the land use.

PAKKA BOOK : Field Book;

PATTA : Certificate of title.

PHODI : Sub divided fields;

PHOT KHARAB : A piece or pieces of land classed as unarable and included in the Survey Number

RECORD OF RIGHTS (RTC of Pahani): A record maintained by the Revenue Authorities which shows the name of the Owner, Cultivator, Assessment, Extent of lands, type of soil, type of cultivation, survey number, Village, Hobli, etc.

SETTLEMENT : Means the result of the operation in a taluk or part of a taluk in order to determine the land revenue assessment.

SURVEY NUMBER (Sy. No.) : A portion of land of which the area and other particulars are separately entered under an indicative number in the land records.

TAHSILDAR : A Collector of revenue collecting the revenue from a given tract of land;

TALUK : Sub Division of a district for the purpose of jurisdiction for Revenue purposes;

TIPPANI : A sketch of a number not drawn to scale but showing the measurements.

TRACING OF TITLE

I have perused the documents mentioned hereinabove. From the documents furnished, it is ascertained that the Property in question, is composite property of Schedule A and B;



Lands in Sy.no.46, of Sonnappanahalli Village, Jala Hobli, Bangalore ANorth Taluk, Bangalroe wasw originally owned and possessed by Shri Mudappa, he having acquired the same under an Order passed in No.L.N.D.S.R.1-817/62-63 dated 18.05.1966. In terms of the said Grant Order, the said Mudappa was put in possession and enjoyment of the entire property to an extent of 1 acre. A copy of the Grant Order is furnished.

After the said Order was passed, accordingly, the revenue authorities mutated all the revenue records in the name of Sri.Mudappa, Record of Rights furnished as stated hereinabove, was registered in the name of the said Shri Mudappa. The Revenue Records indicate that the name of Shri Mudappa was entered both in the column as cultivator as well as the Owner. The mode of acquiring the property by Shri Mudappa is also mentioned. All these documents confirm that the property was in possession and enjoyment of the said Shri Mudappa. The entries are also in conformity with the provisions of the Karnataka Land Revenue Act.

It is further seen that the said Shri Mudappa died intestate leaving behind his son Sri. S.M.Krishnappa as his legal heir. The Said Shri S.M.Krishnappa approached the authorities on an Application of LR of Late Sri.Mudappa, the mutation was entered under IHC No.28/1980-81 in respect the Schedule Property. The Record of rights furnished indicates that the Khahta of the property is now changed in the name of the said Shri S.M. Krishnappa.

The said Sri.S.M.Krishnappa enjoyed the schedule property as absolute Owner accordingly the revenue authorities mutated the revenue entries in the name of Sri. S.M. Krishnappa.



The property which was an Agricultural land was converted from Agricultural use to Non Agricultural residential use as per Official Memorandum dated 6.8.1980 bearing No.ALN.SR.75/80-81.

It is further seen that the said Shri SM. Krishnappa died intestate on 01.01.1999, leaving behind his widow Smt.S.M.Krishnamma and children Sri.Ananth Kumar, Smt.Sumithra and Smt.Vanishree as his only legal heirs.

Further, on an Application of the legal heirs of the said Shri S.M.Krishnappa, the mutation was entered under IHC No.7/2000-01 dated 16.11.2000 in respect the Schedule Property. Accordingly, the names of Smt. S.M. Krishnamma and her children namely Sri.Ananth Kumar, Smt.Sumithra were recorded and the Revenue records for the Schedule Property stands in the names of successors of Late S.M.Krishnappa i.e., Smt.Krishnamma W/o Late S.M. Krishnappa, Sri Ananth Kumar, S/o Late S.M,Krishnappa, Smt.Sumithra D/o Late S.M. Krishnappa and Smt.Vanishree D/o.Late.S.M.Krishnappa.

Further Smt.S.M.Knshnamma W/o Late S.M.Krishnappa, Sri.Ananth Kumar, S/o Late S.M. Krishnappa, Smt.Sumithra D/o Late S.M. Krishnappa and Smt.Vanishree D/o Late S.M. Krishnappa who were in joint possession and enjoyment of the property have all are entered into Partition Deed among themselves for distributing Late.S.M. Krishnappa's properties on 11.08.2021 and the Partition deed Registered as Document No.JAL-1-01705-2021-22 in Book-1 stored in CD.No.JALD877 in the office of Sub-registrar Gandhinagar Jala, Bengaluru.

Further Smt. S.M.Krishnamma W/o Late S.M. Krishnappa, Sri Ananth Kumar, S/o Late S.M. Krishnappa, Smt.Sumithra D/o Late S.M. Krishnappa and Smt.Vanishree D/o Late S.M. Krishnappa are all executed Rectification of Partition deed among themselves as there were some errors in partition deed and the said partition deed has been rectified vide Rectification of Partition deed 16.09.2022 which is registered as Document No.GAN-1-04032-2022-23 and is stored in CD No.GAND1281 in the Office of the Sub Registrar, Gandhinagar, Bengaluru. It is seen that in the Partition Deed dated 11.08.2021, the Schedule A property which was to be allocated to the share of Smt. S.M. Krishnamma and Shri Ananth Kumar, it was erroneously mentioned as property allocated only to Smt. S.M. Krishnamma. This error was rectified by this Rectification Deed and the property was now allocated to the share of Smt. S.M. Krishnamma and Shri Ananth Kumar ;

Ever since the date of acquiring the Schedule Property. the Owners are in peaceful possession and enjoyment of the same exercising all acts of dominion and Ownership.

Smt.S.M.Krishnamma and Shri S.K.Ananth Kuamr have decided to develop the property mentioned in the schedule hereunder viz., a portion of land bearing Sy No.46 measuring 03 guntas, out of total extent of 26.08 guntas for Joint Development with Builder as stated supra for construction of Residential apartment in the land morefully described in the Schedule hereunder and hereinafter referred to as the Schedule" B" Property.

Smt. S.M.Krishnamma and Shri S.K.Ananth Kumar executed a Joint Development Agreement on 16.09.2022 between M/s Axis Concept Construction Pvt. Ltd represented by its Managing Director - Shri R.Harish Babu and registered as document No.06511-

2022-23 of Book I and stored in C.D.No.BYPD1210 in the Office of Senior Sub-Registrar, Byatarayanapura, Bengaluru (26.08 Guntas). In terms of this Joint Development Agreement, a multistoried building is proposed to be constructed and the super built up area is proposed to be shared in the ratio of 65% to the Builder and 35% to the Owners. In order to enable the working of the Joint Development Agreement, a General Power of Attorney is also executed by the said Smt. S.M, Krishnamma and Shri S.K. Ananth Kumar which is dated 16.09.2022 which is registered as document no.BYP-4-00410-2022-23 and is stored in CD No.BYPD1210 in the office of the Sub Registrar, Byatrayanapura, Bengaluru. The power of attorney also empowers the Builder to sell their share of 65% super built up area.

It is also seen that the other portion of the land which was allocated to Smt. S.K. Sumithra and Smt. S.K. Vanishree under the aforesaid partition Deed dated 11.08.2021, executed a Joint Development Agreement on 16.09.2022 between M/s Axis Concept Construction Pvt. Ltd represented by its Managing Director - Shri R.Harish Babu and registered as document No.06513-2022-23 of Book I and stored in C.D.No.BYPD1210 in the Office of Senior Sub-Registrar, Byatarayanapura, Bengaluru. In terms of this Joint Development Agreement, a multistoried building is proposed to be constructed and the super built up area is proposed to be shared in the ratio of 65% to the Builder and 35% to the Owners. In order to enable the working of the Joint Development Agreement, a General Power of Attorney is also executed by the said Smt. S.K. Sumithra and Smt. S.K. Vanishree which is dated 16.09.2022 which is registered as document no.BYP-4-00411-2022-23 and is stored in CD No.BYPD1210 in the office of the Sub Registrar, Byatrayanapura, Bengaluru. The power of attorney also empowers the Builder to sell their share of 65% super built up area.



It is relevant to point out that the conversion order would be passed only after the Deputy Commissioner is fully satisfied that there are no contravention, whatsoever of the relevant provisions of The Karnataka Land Revenue Act 1961, Karnataka Land Grant Rules, Karnataka Prohibition of Transfer of Certain Lands Act (PTCL), Land Revenue Rules relating to various aspects including, Green belt, before sanctioning the order. The Office of the Deputy Commissioner is also required to verify whether any acquisition proceedings under any scheme of the Government and/or Bangalore Development Authority are pending or otherwise are pending. And only when the Deputy Commissioner is satisfied about all these aspects and after obtaining an independent inquiry with regard to the authenticity of the documents, a conversion Certificate would be granted. The Deputy Commissioner is duty bound to verify and satisfy himself regarding the change of land use and shall ensure that such conversion, shall not in any manner cause public nuisance. The Deputy Commissioner shall also ensure that change of land use are not inconsistent with Comprehensive Development Plans and Outlined Development Plans. Having obtained a conversion Certificate, it would therefore necessarily mean that all the mandatory stipulations have been complied and the lands in question are clear in all respects. The Survey Sketch produced indicates the shape and measurements of the property.

The Akarbandh extracts confirms the assessment details. The Village Map indicates the location of the property.

It is relevant to state that for the purpose of better utilization of the adjacent land and to have uninterrupted and comfortable access to the schedule property, the owners of the adjacent property viz., Shriyuths: N.Ashwatha Narayana, Raghu, L.Raveendhtraa, Partha, N.Muthuraj and Naveen Kumar along with Smt.S.M. Krishnamma, S.K.Ananth Kumar, S.K.Sumihra, S.K.Vanishree along with M/s Axis Concept Construction Pvt. Ltd, entered into a Memorandum of Understanding dated 15.11.2022 which is registered as document No.JAL-4-00128-2022-23 and stored in C.D. No.JALD1219 in the Office of Sub-Registrar, Gandhinagar (Jala), Bengaluru. In terms of this Memorandum

of Understanding a portion of land belonging to Shri N.Ashwatha Narayana and others were permitted for use of access/Road to the aforesaid development project. A sketch showing the said land which shall be used as a common road for all concerned for ingress and egress of the aforesaid development property and other properties is clearly here marked. This Memorandum of Understanding is only convenience of the aforesaid parties creating easementary rights. Therefore, the title of the said land is not connected upon in this title opinion.

Encumbrance Certificates furnished, do not show registered charges.

Under the circumstances, said Smt. S.M.Krishnamma and Shri S.K.Ananth Kumar and Smt. S.K. Sumithra and Smt. S.K. Vanishree, by virtue of the transactions stated above became the absolute owners and the title has flown clearly and is valid and marketable in respect of the aforesaid mentioned schedule property and the Joint Development Agreement holder M/s Axis Concept Construction Pvt. Ltd has 65% developmental share in the schedule property.



DEEPAK