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ADVOCATE

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To,

07.05.2011

M/s Prisha Properties India Pvt. Ltd.  
Koramangala, Bangalore:

**PRELIMINARY LEGAL OPINION**

I have been furnished with the following photostat copies of the documents in respect of property bearing residentially converted land bearing Sy.No.29/4 (portion), measuring 2 acres 26 Guntas, Sy.No.29/5 measuring to an extent of 29 Guntas and Sy.No.15/3D measuring 4 guntas, totally measuring 3 Acres 19 Guntas, all the properties presently within the jurisdiction of BBMP and of Kasavanahalli Village, Varthur Hobli, presently, Bangalore East Taluk, Bangalore South taluk, with a request to render my opinion, in the matter.

I. **DOCUMENTS SCRUTINISED**

**The following Photostat copies of documents are furnished for scrutiny:**

**Survey No.29/4:**

1. RTC/s for the period 1969-1973, 1974-1978, 1980-1986, 1986 to 2008-2009 issued by Village Accountant, Bangalore East Taluk, Bangalore;
2. Certified copy of Sale Deed dt.25.04.1942 executed by Smt.Chennamma and others in favour of Shri Ramaiah;
3. Certified copy of Partition Deed dt.02.09.1970 executed by and amongst Shri Ramaiah and others;
4. Sale Agreement dt.24.01.1992 executed between Shri Chowdapdpa and M/s The Karnataka Electricity Board represented by its Hon' Secretary;

5. Continuation Agreement of Sale dt.04.11.1992 executed between Shri Chowdappa and M/s The Karnataka Electricity Board represented by its Hon' Secretary;
6. General Power of Attorney dt.04.11.1992 executed by Shri Chowdappa in favour of M/s The Karnataka Electricity Board represented by its Hon' Secretary;
7. Declaration dt.07.11.1992 executed by Shri Chowdappa and others;
8. Intimation letter dt.18.07.1992 issued by Deputy Commissioner, Bangalore District;
9. Official Memorandum dt.04.03.2010 issued by Deputy Commissioner, Bangalore District measuring 3 Acres 6 Guntas;
10. Encumbrance Certificate dt.27.01.1992 for the period 1.4.1979 to 24.1.1992;
11. Encumbrance Certificate dt.21.12.2009 for the period 1.4.1992 to 31.3.1992;
12. Encumbrance Certificate dt.19.8.2007 for the period 1.4.1970 to 31.3.1991;
13. Encumbrance Certificate dt.12.8.2002 for the period 1.1.1989 to 5.8.2002;
14. Encumbrance Certificate dt.8.10.2004 for the period 5.8.2002 to 31.3.2004;
15. Encumbrance Certificate dt.8.10.2009 for the period 1.4.2004 to 6.4.2009;
16. Encumbrance Certificate dt.19.11.2009 for the period 6.4.2009 to 18.11.2009;
17. Encumbrance Certificate dt.22.4.2010 for the period 18.11.2009 to 21.4.2010;
18. Encumbrance Certificate dt.15.7.2010 for the period 21.4.2010 to 14.7.2010;



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19. Encumbrance Certificate dt.4.8.2010 for the period 14.7.10 to 3.8.10;
20. Hissa Tippani issued by Village Accountant;
21. Hissa Survey Tippani Letter issued by Village Panchayath;
22. Settlement Akarband;
23. Mutation Register Extract bearing No.M.R. No.15 of 2002-03;

**Survey No.29/5:**

1. RTC/s for the period 1986-1990, 1992-1997 to 2007-2008 issued by Village Accountant, Bangalore East Taluk, Bangalore;
2. Record of Rights;
3. Mutation Register Extract bearing M.R.No.15/89-90;
4. Certified copy of Sale Deed dt.21.12.1974 executed by Shri Ramaiah in favour of Shri Muniraju;
5. Official Memorandum dt.23.10.1992 issued by Deputy Commissioner, Bangalore District measuring 1 Acre 4 Guntas;
6. Sale Agreement dt.24.01.1992 executed between Shri Muniraju and M/s The Karnataka Electricity Board represented by its Hon' Secretary;
7. Agreement of Sale dt.28.10.1992 (No.3875) executed between Shri Muniraju and M/s The Karnataka Electricity Board represented by its Hon' Secretary;
8. General Power of Attorney dt.28.10.1992 (No.647) executed between Shri Muniraju and M/s The Karnataka Electricity Board represented by its Hon' Secretary;
9. Sale Deed dt.28.05.2002 (No.2504) executed between Shri Muniraju and others represented by their GPA Holder in favour of M/s The

Karnataka Electricity Board represented by its Hon' Secretary and Shri B.M.Narasimha Murthy and M/s The Karnataka Electricity Board represented by its Hon' Secretary and Shri K.P.Champakadhamaswamy and M/s The Karnataka Electricity Board represented by its Hon' Secretary and Shri B. Narasimha Murthy (as consenting party) in favour of M/s Golden Gate Projects represented by its Partner in Sy.No.29/4 and 29/5;

10. Village Map;
11. Atlas;
12. Endorsement dt.26.06.2002 issued by KIADB confirming the land bearing Sy.No.29/4 and 29/5 and Endorsement dt.16.07.2010;
13. Endorsement dt.30.04.2002 issued by Tahsildar, Bangalore East Taluk;
14. Encumbrance Certificate dt.19.6.2009 for the period 1.4.1960 to 31.3.1974;
15. Encumbrance Certificate dt.4.8.2010 for the period 1.4.1974 to 31.3.2004;
16. Encumbrance Certificate dt.19.08.2008 for the period 1.4.2004 to 18.08.2008;
17. Encumbrance Certificate dt.8.4.2009 for the period 19.8.2008 to 6.4.2009;
18. Encumbrance Certificate dt.23.11.2009 for the period 1.1.2009 to 22.11.2009;
19. Encumbrance Certificate dt.22.4.2010 for the period 22.11.2009 to 21.4.2010;
20. Encumbrance Certificate dt.15.7.2010 for the period 21.4.2010 to 14.07.2010
21. Encumbrance Certificate for the period 14.7.10 to 3.8.10;
22. Hissa Tippani issued by Village Accountant;
23. Hissa Survey Tippani Letter issued by Village Panchayath;



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24. Settlement Akarband;

**Survey No.15/3D:**

1. RTC/s for the period 2002-2003 to 2009-2010 issued by Village Accountant, Bangalore East Taluk, Bangalore;
2. Mutation Register Extract bearing M.R.No.15/93-94 and 1/2002-03;
3. Certified copy of Sale Deed dt.29.5.1961 executed by Smt. Narayanamma and A.C.Jaya Prakash in favour of Shri Srinivasappa;
4. Certified copy of Partition Deed dt.20.10.1992 executed by and amongst Shri Srinivasappa and others;
5. Intimation letter dt.9.7.2003 issued by Deputy Commissioner, Bangalore District;
6. Official Memorandum dt.14.7.2003 issued by Deputy Commissioner, Bangalore District measuring 5 Guntas;
7. Sale Deed dt.3.9.2009 executed by Smt.Lakshamma and Venkatesh in favour of Shri K.R.Rajashekar Reddy;
8. Exchange of Deed dt.20.1.2009 entered into between M/s Golden Gate Projects represented by its GPA holder and Shri K.R. Rajashekar Reddy;
9. Village Map;
10. Hissa Tippani issued by Village Accountant;
11. Hissa Survey Tippani Letter issued by Village Panchayath;
12. Settlement Akarband;
13. Encumbrance Certificate dt.23.4.2010 for the period 1.4.1994 to 31.3.2004;



14. Encumbrance Certificate dt.15.12.2008 for the period 1.4.2004 to 12.12.2008;
15. Encumbrance Certificate dt.22.4.2010 for the period 12.12.2008 to 21.4.2010;
16. Encumbrance Certificate dt.15.07.2010 for the period 21.4.2010 to 14.07.2010;
17. Mutation Register Extract bearing No.M.R. No.1 of 2002-03;
18. Mutation Register Extract bearing No.M.R. No.5 of 2003-04;
19. Mutation Register Extract bearing No.M.R. No.6 of 2003-04;
20. Copy of the Compromise Petition in O.S. No.1390 of 1993;

#### **COMMON DOCUMENTS**

1. Preliminary Endorsement dated 14.5.2010 issued by Bangalore Development Authority;
2. Letter dated 26.04.2000 issued by Bangalore development Authority.
3. Order dated 30.07.2008 passed in W.P. No.10800 of 2005(LA-BDA);
4. General Power of Attorney dated 26.07.2002 executed by Shri S.Martin in favour of Shri C.D. Sanjay Raj;
5. Endorsement dated 16.12.2009 issued by Divisional Commissioner stating that Section 79 (A) and (B) are not violated;
6. Endorsement dated 30.11.2009 issued by Divisional Commissioner stating that the lands in question are not registered in PTCL Records;
7. Endorsment dated 12.7.2010 issued by KIADB stating that so far they have not acquired the lands in question;
8. Joint Development dated 30.04.2010 executed by and amongst M/s Golden Gate Projects and M/s Prisha Properties India Pvt. Ltd.



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9. General Power of Attorney dated 30.04.2010 executed by and amongst M/s Golden Gate Projects and M/s Prisha Properties India Pvt. Ltd.
10. Endorsement dated 27.7.2010 issued by Land Acquisition Officer stating that Notification for acquisition has been dropped.

## **II DESCRIPTION OF PROPERTY**

### Item No.1:

All that piece and parcel of residentially converted land bearing Sy.No.29/4 (portion), presently within the jurisdiction of BBMP and of Kasavanahalli Village, presently BangaloreEast Taluk, measuring 2 Acres 26 Guntas and bounded on the:

East by : Sy.No.29/5;  
West by : Sy.no.29/3;  
North by : Sy.No.14 (part);  
South by : Sy.No.29/4 (Part).

### Item No.2:

All that piece and parcel of residentially converted land bearing Sy.No.29/5, presently within the jurisdiction of BBMP and of Kasavanahalli Village, presently BangaloreEast Taluk, measuring 29 Guntas and bounded on the:

East by : Sy.No.15/3E;  
West by : Sy.no.29/4;  
North by : Sy.No.14 (part) and Halla;  
South by : Sy.No.29/5 (Part).

### Item No.3:



All that piece and parcel of property bearing Sy.No.15/3D measuring 4 guntas situated at Kasavanahalli Village, Varthur Hobli, Bangalore East Taluk, Bangalore District and bounded on the:

East by : Road;  
West by : Sy.No.29/5;  
North by : Sy.No.15/3E;  
South by : Sy.No.15/3D & Sy.No.15/3C.

### **COMPOSITE PROPERTY OF ITEM NOS.1, 2 AND 3**

All that piece and parcel of residentially converted land bearing Sy.No.29/4 (portion), measuring 2 acres 26 Guntas, Sy.No.29/5 measuring to an extent of 29 Guntas and Sy.No.15/3D measuring 4 guntas, totally measuring 3 Acres 19 Guntas, all the properties presently within the jurisdiction of BBMP and of Kasavanahalli Village, Varthur Hobli, presently, Bangalore East Taluk, and bounded as follows:

East by : Road & Sy.No.15/3E;  
West by : Sy.no.29/3;  
North by : Sy.No.14 (Part) & Halla;  
South by : Sy.No.29/4 (Part) & Sy.No.29/5 (Part) & Sy.No.15/3D, Sy.No.15/3C.

### **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 40<sup>th</sup> 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





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to an inferior;

**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.

IV.

#### **TRACING OF TITLE**

I have perused the documents mentioned hereinabove. From the documents mentioned furnished it can be ascertained that the property in question is an Composite property of Item Nos.1, 2 and 3. Since three



different Survey Numbers are involved, the title has been scrutinised separately as under.

**In respect of Survey No.29/4**

Lands in Sy.No.29/4, Kasavanahalli Village, Varthur Hobli, Bangalore East Taluk, Bangalore District was originally to an extent of 3 Acres 6 Guntas.

The property originally belonged to one Shri Ramaiah S/o Shri Venkataramanappa who had acquired the same under a Sale Deed dt.25.04.1942 from Smt.Channamma W/o Shri Chikkamuniyappa and others which is registered as document No.3829 in Volume No.589 of Book I in the Office of the Sub-Registrar, Bangalore Taluk. The said Shri Ramaiah was in possession and enjoyment of the same. All the revenue records were in his name. Later, the said Shri Ramaiah along with his other joint family members entered into a Partition Deed on 02.09.1970 which is registered as document No.2829/1970-71 in Volume No.589 between pages 11 and 13 in the Office of the Sub-Registrar, Bangalore Taluk. In terms of this Partition Deed the property was allotted to the share of Shri Chowdappa. Earlier, the Revenue records were in the name of Shri Ramaiah. After the partition was effected, all the revenue records were transferred in the name of Shri Chowdappa. The RTC Extracts furnished from the period 1969-70 indicates the name of Shri Chowdappa.

From the documents furnished it is also ascertained that the said Shri Chowdappa had entered into an Agreement with M/s Karnataka Electricity Board Employees Co-operative Society Limited for sale of the entire property in their possession to an extent of 3 Acres 6 guntas of land which includes 1 gunta of kharab land. A continuation Agreement of Sale was entered into by the parties on 04.11.1992. The Power of Attorney was



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also executed by the said Shri Chowdappa in favour of Shri K.P.Champakadhamaswamy. Copies of declaration further indicates that the said Shri Chowdappa and others did not have any objection whatsoever for transferring the property in favour of Shri K.P.Champakadhamaswamy.

The said Shri Chowdappa approached the Special Deputy Commissioner for the purpose of conversion of property from agricultural to non-agricultural residential use. The Special Deputy Commissioner after considering the application has passed an order which is communicated through an Official Memorandum dt.4.3.2010 bearing No.ALN(EVH) SR 39/1992-93 which confirms that the land to an extent of 3 Acres 6 Guntas in Sy.No.29/4 has been converted from agricultural use to non-agricultural residential use.

The Agreement Holder namely M/s Karnataka Electricity Board Employees Co-operative Society Limited later withdrew the Agreement and had expressed its in-ability to perform its part of contract. The said Society along with Shri Chowdappa have sold to an extent of 2 acres 26 guntas in Sy.No.29/4, along with other properties which are contiguous in nature by executing a Sale Deed dt.28.05.2002 and registered as document No.2504/2002-03 and stored in CD No.77 in the Office of the Sub-Registrar, Bangalore South Taluk in favour of M/s Golden Gate Projects. It is pertinent to note that this Sale Deed also contained various schedules including the property mentioned herein above.

**In respect of Survey No.29/5**



I have perused the documents furnished. The record of rights extracts furnished in respect of Sy.No.29/5 from the year 1969-70 to 1971-72 indicates that the property was in possession and enjoyment of Shri Siddappa. He was both owner as well as the cultivator of the said land. Further entries made from 1972-73 indicate that the property was transferred to Shri Ramaiah. The revenue authorities had recognized his right and therefore, had changed all the records in the name of the said Shri Ramaiah.

Later, the said Shri Ramaiah had sold the property to Shri Muniraju S/o Shri Chikka Munishama Reddy which is registered as document No.7488/1974-75 in the Office of the Sub-Registrar, Bangalore South Taluk. The revenue authorities have mutated the property in favour of the said Shri Muniraju. This aspect can be seen from the Mutation Register Extract bearing M.R.NO.15/89-90. The said Shri Muniraju also got his name registered in all other revenue records such as the RTC Extract etc. Khatha was also changed in his name. He was shown both as a owner as well as the cultivator in the books of the revenue records.

From the documents furnished it is also ascertained that the said Shri Muniraju had entered into an Agreement DATED 24.01.1992 with M/s Karnataka Electricity Board Employees Co-operative Society Limited for sale of the entire property in their possession to an extent of 1 Acre 4 guntas of land. A continuation Agreement of Sale was entered into by the parties on 28.10.1992. The Power of Attorney was also executed by the said Shri Muniraju in favour of Shri K.P.Champakadhamaswamy. Copies of declaration further indicates that the said Shri Muniraju did not have any objection whatsoever for transferring the property in favour of Shri K.P.Champakadhamaswamy.



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The said Shri Muniraju approached the Special Deputy Commissioner for the purpose of conversion of property from agricultural to non-agricultural residential use. The Special Deputy Commissioner after considering the application has passed an order which is communicated through an Official Memorandum dt.23.10.1992 bearing No.B.DIS.ALN.SR(S) 35/92-93 which confirms that the land to an extent of 1 Acre 4 Guntas in Sy.No.29/5 has been converted from agricultural use to non-agricultural residential use.

The Agreement Holder namely M/s Karnataka Electricity Board Employees Co-operative Society Limited later withdrew the Agreement and had expressed its in-ability to perform its part of contract. The said Society along with Shri Muniraju have sold to an extent of 1 acre 4 guntas in Sy.No.29/5, along with other properties which are contiguous in nature by executing a Sale Deed dt.28.05.2002 and registered as document No.2504/2002-03 and stored in CD No.77 in the Office of the Sub-Registrar, Bangalore South Taluk in favour of M/s Golden Gate Projects. It is pertinent to note that this Sale Deed also contained various schedules including the property mentioned herein above.

Later the said M/s Golden Gate Projects got khatha transferred in their name from Bruhat Bangalore Mahanagara Palike (BBMP for short). A special notice dt.28.08.2010 issued by BBMP in respect the property namely Sy.No.29/4, Sy.No.29/5 and 15/3D for registration of khatha after paying the required amount of taxes. The BBMP has also issued Khatha in favour of M/s Golden Gate Projects as can be seen from the Khatha Certificate dt.28.08.2010.



**In respect of Survey No.15/3D**

The land comprised in Sy.No.15/3 of Kasavanahalli Village, Varthur Hobli, Bangalore South Taluk, presently East Taluk, was the self acquired property of Srinivasappa and his brothers Shriyuths: Rajappa and Narayanappa. The said property was purchased by Late Srinivasappa and his brothers to an extent of 6 Acres and 6 guntas under a registered Sale Deed dt.29.05.1961 from Smt.Narayanamma W/o Late Shri A.G.Chikkarama Reddy and her minor son A.C.Jaya Prakash.

Smt.Narayanamma and her son A.C.Jayaprakash, had acquired title to the property by succession to the property of Shri A.G.Chikkamma Reddy, who had succeeded to his father's share allotted to his father Shri A.G.Rama Reddy Shri A.G.RAAMA Reddy had acquired to the said property by virtue of a Partition Deed between his brothers and himself dt.25.11.1953 and registered as document No.5716 in Volume No.1380 of Book I, between pages 184 and 201 in the Office of the Sub-Registrar, Bangalore South Taluk.

Later, Shri Srinivasappa and his brothers have subsequently partitioned the remaining portion of said property measuring 4 Acres and 8 guntas and a compromise petition came to filed on 21.12.1993 in O.S.No.1390/1993 on the file of the City Civil Judge, Bangalore, which was filed for partition. As per the said Compromise entered into between the brothers, late Srinivasappa was allotted a portion of the above said property i.e., to an extent of 1 Acre 14 guntas out of the total extent. Thus late Srinivasappa acquired the absolute and marketable title to the extent of 1 Acre 14 guntas in Sy.No.15/3 of Kasavanahalli Village, Varthur Hobli, Bangalore East Taluk. In furtherance of the same the said Srinivasappa's



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name has been entered into the mutation extract as per MR.No.15/1993-94 to the said extent.

After the death of Srinivasappa Smt.Lakshamma and another have succeeded to the estate of the deceased Srinivasappa. The Tahsildar, Bangalore East Taluk, by his Order in IHC No.3/2002/2003 dt.19.08.2002 directed the revenue authorities to enter the name of Smt.Lakshamma. In pursuance of the said Order the name of Smt. Lakshamma herein is mutated in the records as per MR.No.1/2002-2003. Shri Venkatesh son of Late Srinivasappa has given no objection to enter the name of Smt.Lakshamma in the khatha and other records.

Subsequently, the said property was surveyed and the ADLR has assigned new numbers in pursuance of the survey pde and as per the said order of the ADLR in MPR No.58/1995-96 the said Sy.No.15/3 is poded and the new numbers are assigned sub-numbers as 15/3A, B, C, D, E & F respectively in relation to the actual physical possession of the parties and hence, Smt.Lakshamma and Venkatesh are the absolute owners of land bearing Sy.No.15/3D to an extent of 9 guntas by succession to the said property after the death of Shri Srinivasappa.

The said Smt.Lakshamma and Shri Venkatesh S/o Shri Srinivasappa had sold the property to Shri K.R.Rajashekar Reddy S/o Shri Rama Reddy to an extent of 5 guntas of land by executing a Sale Deed dt.3.9.2002 which is registered as document No.6897/2002-03 in the Office of the Sub-Registrar, Bangalore South Taluk;

The Shri K.R.Rajashekar Reddy had approached the Deputy Commissioner for conversion of the said lands from agricultural use to non-

agricultural residential use. The Deputy Commissioner by an Official Memorandum dt.14.7.2003 bearing No.BDIS/ALN(E)VB/SR/142/2003-04 has converted the said land into non-agricultural residential use, as can be seen from the document the land converted also included lands in Sy.No.15/3. In all 12 guntas of land were converted.

The aforesaid land is adjacent to Sy.No.29/5 and M/s Golden Gate Projects who are the owners of the said 29 guntas required an access to the main Road. The lands Sy.No.15/3D is having access to the Road. Hence in order to have the access, the said M/s Golden Gate Projects requested Shri K.R.Rajashekar Reddy for exchanging this land with land in Survey No.29/5 to an extent of 15 guntas. This offer was accepted by the said Shri K.R.Rajashekar Reddy and has therefore, executed a Deed of Exchange with M/s Golden Gate Projects by executing a Deed of Exchange dt.20.01.2009 which is registered as document No.VRT-1-05099-2008-09 and stored in CD No.VRTD 41 in the Office of the Sub-Registrar, Varthur, Bangalore District. By this Deed the said M/s Golden Gate Projects have become the absolute owner of 4 guntas of land and have also put in possession and enjoyment of the same.

A sketch which is provided clearly indicates that the property is now one plot of land which includes lands in Survey No.29/4 to an extent of 2 Acres 26 guntas, lands in Sy.No.29/5 to an extent of 29 guntas and land in Sy.No.15/3D to an extent of 4 guntas.

In respect of the above documents Revenue Records such as the Hissa Tippani, Survey Sketch and Settlement Akarband have been furnished. These documents indicate the extent of land in the said Village as well as the location of the property, besides showing assessment thereof. A survey was also made by the Revenue Department and a Re-Survey





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Sketch was prepared to indicate and identify the properties so acquired by the aforesaid persons.

It is also seen that the Bangalore Development Authority had issued a Notification dt.27.07.2010 which indicates that the property was proposed to be acquired for formation of High-tech Zone. However, as per the order passed in W.P.No.10800/2005 the said Notification is quashed in question is not acquired by them.

The property which was shown as Hi-tech zone in the CDP was required to be changed to residential zone. The said M/s Golden Gate Projects had approached the Bangalore Development Authority (BDA for short) for such transfer. The BDA by an endorsement dt.14.05.2010 has permitted for such change of land use. A letter dt.26.04.2000 also indicates that a demand has been made for Rs.2,88,400/- as the payment for change in land use.

An endorsement dt.12.07.2010 issued by Karnataka Industrial Areas Development Board (KIADB for short) confirms that the property has so far not been acquired by them.

The following Endorsements are also furnished:

- a) Endorsement dated 16.12.2009 issued by Divisional Commissioner stating that Section 79 (A) and (B) are not violated;
- b) Endorsement dated 30.11.2009 issued by Divisional Commissioner stating that the lands in question are not registered in PTCL Records;
- c) Endorsment dated 12.7.2010 issued by KIADB stating that so far they have not acquired the lands in question;

After perusing the above documents, in my opinion, it can be stated that the title has flown clearly and the same is valid and marketable.

The said M/s Golden Gate Projects have entered into a Joint Development Agreement dt.30.04.2010 with M/s Prisha Properties India Private Limited which is registered as document No.VRT-1-00734-2010-11 and stored in CD No.VRTD70 in the Office of the Sub-Registrar, Varthur, Bangalore. In terms of this Joint Development Agreement the Developer namely M/s Prisha Properties India Private Limited is proposing to construct a multistoried building comprising of various apartments and the same is built up area has proposed to be shared by the parties in the ratio of 25:75 (25% to be allocated to M/s Golden Gate Projects and 75% to be allocated to the developer A Power of Attorney is also executed by M/s Golden Gate Projects which is dt.30.04.2010 in favour of the said M/s Prisha Properties India Private Limited which is registered as document No.VRT-400027-2010-11 and stored in CD No.VRTD70 in the Office of the Sub-Registrar, Varthur, Bangalore. By this Power of Attorney the Developer namely M/s Prisha Properties India Private Limited are entitled to construct and also sell the 75% of the share in favour of 3<sup>rd</sup> parties.

In case a Sale Deed is executed by any of the parties with respect to their sharing ratio, then the same shall be valid and marketable and prospective purchasers shall derive a valid title.

It is also pertinent to mention that the Encumbrance Certificates does not show any registered charges.

It is also to be mentioned that the above opinion is based only on the Photostat copies of documents furnished.



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ADVOCATE

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Under the circumstances, M/s Golden Gate Projects, a Partnership Firm has got a valid and marketable title to the property mentioned in Paragraph IV hereinabove. Further M/s Prisha Properties India Private Limited has got power to deal with the property to an extent of 75% of share in respect of the property



D E E P A K

//PVT OPINION/Golden Valley/37-1//C-2//