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ADVOCATES

FONTAINHAS
PANJIM GOA.

Ph. No.: Off.: 2423190

16/08/2021

Dated: 14/8/2021

OPINION

This Opinion on title is given at the request of Mr. Kish Anthony F.C. De Santana Rego and Ms. Keziah Maria Aurora Rego, the Partners of M/S K2 Constructions and Developers from Panaji, Goa, with respect to the property denominated "Mastrilem", situated at Verna, Salcete, Goa, bounded on the East by the property of Francisco Xavier Madeira and Evencao de Melo and the house of Francisco Xavier Madeira and now by the property of Fernandes , on the West with the property Mostrilen of Filipe Jacob Alvares and that of Fulgencio de Noronha and now by the property of Medeira, on the North with the top of the Hill and now by the pathway and on the South with the fields of the Comunidade and now by 8 mts road.

This property bears survey No. 73/7 of Verna Village and bears Matriz No. 317.

The said property belonged to Joao Joaquim Nepomoceno do Rego and to Fr. Cosme Jose Nepomoceno do Rosario Rego both from Verna, in equal parts, and that is how the said property came to be registered in the Matriz in both their names.

The allotment in this inventory was in terms of the Will dated 10/12/1932 executed by the said Joaquim Joao Nipomoceno de Rego alias Joao Joaquim Nepomoceno de Rego alias Joao

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Joaquim Nipomoceno Sacramento de Rego drawn at pages 41 reverse of Book No. 16 of Wills, before the Notary Francisco Xavier Theodoro de Miranda.

On 12/11/1951 passed away the said Joaquim Santana Rego and on his death inventory proceedings were initiated before the Court of the IIIrd Division at Margao, Salcete, Goa, and his half right to the said property "Mastrilem", was described as item No. 8 and therein the said item i.e. the half of "Mastrilem" was allotted to Fr. Cosme Jose Nepomoceno do Rosario Rego. The allotment in the said inventory was confirmed by the order and the judgement dated 25/6/1951. Accordingly, Fr. Cosme Jose Nepomoceno do Rosario Rego became the sole owner of the said property "Mestrilem".

By a Will dated 12/11/1985 executed before the Ex-Officio Notary cum Sub-Registrar at pages 50 onwards of Book No. 128, Fr. Cosme Jose Nepomoceno do Rosario Rego bequeathed all his properties to his brothers Diogennes Ligorio Francisco de Santana Rego and to Francisco Xavier Martinho do Rosario Rego. But Mr. Diogennes Ligorio Francisco de Santana Rego predeceased the said testator Fr. Cosme on 21/7/1992 and therefore by virtue of the said bequest Mr. Francisco Xavier Martinho do Rosario Rego became the sole and universal heir of the said Fr. Cosme Jose Nepomoceno do Rosario Rego. The said Fr. Cosme passed away on 19/3/1994.

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The above fact has been confirmed by the deed of succession dated 22/8/1997 before the Ex-Officio Notary Public at Panaji, Goa.

Thus the said property came to be solely owned and possessed by Mr. Francisco Xavier Martinho Roque de Santana Rego as the sole testamentary heir of Fr. Cosme Jose Nepomoceno do Rosario Rego and this is confirmed by the deed of succession dated 22/8/1997 before the Ex-Officio Notary Public at Panaji, Goa.

Thereafter the said Francisco Xavier Martinho Roque do Santana Rego expired on 12/2/2000 and on his passing away a Deed Of Legal Succession and Qualification of Heirs dated 26/2/2018 came to be executed before the Joint Civil Registrar and Special Notary at Panaji, Tiswadi, Goa, and therein it has been confirmed that he has left behind his widow and moiety holder Mrs. Maria Lourdes Assuncao Mascarenhas e Rego and as his only heir his son Jose Joaquim Santana do Rego married to Mr. Maria Lactancia Torrado Miranda e Rego since his other children Victor Rego and his wife Maria Amalia Costa e Rego and Maria do Carmo Rego e Pais and her husband Sebastiao Pais relinquished their rights to the inheritance of their father/father-in-law the said Francis Xavier Martinho Roque de Santana Rego by a deed of relinquishment dated 6/5/2003 executed before the Civil Judge Senior Division before S.J. Natekar at Panaji Goa.

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Thus, the said property came to be owned and possessed by the said Mrs. Maria Lourdes Assuncao Mascarenhas e Rego and her son Jose Joaquim Santana do Rego married to Mrs. Maria Lactancia Torrado Miranda e Rego.

The names of Mr. Joseph Rego, Mrs. Maria Lactancia Torrado Miranda e Rego and Mrs. Maria Lourdes Mascarenhas e Rego are shown as occupants in the form I and XIV of the said property bearing survey No. 73/7 of Verna Village.

The sanad of conversion of this property was obtained on 23/5/2021 issued by the Additional Collector (I) South Goa District Margao, with respect to 885 sq.mts of survey No. 73/7.

Then on 13/04/2018 passed away the said Maria Lactancia Torrado Miranda e Rego leaving behind her husband and moiety holder Jose Joaquim Santana Rego and as his only heirs the two children namely Miss Keziah Maria Aurora Rego and Kish Anthony Francisco Cosme da Santana Rego and this has been confirmed by a Deed Of Succession and Qualification of Heirs on 19/6/2018 before the Joint Civil Registrar cum Sub-Registrar and Special Notary at Panaji, Goa and the same is drawn on 19/6/2018 at Folio 2 to 3 reverse of Book of Deeds No. 736.

Thereafter on 29/11/2019 passed away Shri Joseph Joaquim Santana Rego leaving behind his two children namely the said Miss Keziah Maria Aurora Rego and Kish Anthony Francisco Cosme da Santana Rego both unmarried as his sole and universal heirs and this status has been confirmed by the

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Deed of Succession and Qualification of Heirs dated 20/5/2020 executed before the special Notary Ex-Officio at Panaji, Goa at pages 42 reverse to 43 reverse of Book No. 755 of Deeds.

Documents inspected are:

1. Survey plan

2. Form I and XIV

3. Matriz Certificate of Matriz No. 317.

4. Will dated 10/12/1932 drawn at pages 41 reverse of Book No. 16 of Wills, before the Notary Francisco Xavier Theodoro de Miranda.

5. Allotment and order dated 25/6/1951 confirming the allotment to Fr. Cosme Jose Nepomoceno do Rosario Rego.

6. Will dated 12/11/1985 executed before the Ex-Officio Notary cum Sub-Registrar at pages 50 onwards of Book No. 128

7. Death certificate of Mr. Diogennes Ligorio Francisco de Santana Rego who passed away on 21/7/1992.

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8. Death certificate of Fr. Cosme Jose Nepomoceno do Rosario Rego. who passed away in the year 1994.

9. Deed of succession dated 22/8/1997 before the Ex-Officio Notary Public at Panaji, Goa.

10. Death certificate of Mr. Francisco Xavier Martinho Roque do Santana Rego who passed away on 12/2/2000.

11. Deed Of Legal Succession and Qualification of Heirs dated 26/2/2018 executed before the Joint Civil Registrar and Special Notary at Panaji, Tiswadi, Goa

12. Deed of relinquishment dated 6/5/2003.

13. Sanad of conversion of the property obtained on 23/5/2021

14. Death certificate of Maria Lactancia Torrado Miranda e Rego who passed away on 13/04/2018

15. Deed of Succession and Qualification of Heirs dated 19/6/2018 drawn on 19/6/2018 at Folio 2 to 3 reverse of Book of Deeds No. 736 executed before the Joint Civil Registrar cum Sub-Registrar and Special Notary at Panaji, Goa.

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16. Death certificate of Shri Joseph Joaquim Santana Rego who passed away on 29/11/2019.

17. Deed of Succession and Qualification of Heirs dated 20/5/2020 executed before the special Notary Ex-Officio at Panaji.

18. Nil Encumbrance certificate dated 22/7/2021.

Accordingly, I am of the opinion that Mrs. Maria Lourdes Mascarenhas e Rego and Miss Keziah Maria Aurora Rego and Mr. Kish Anthony Francisco Cosme da Santana Rego hold the title and possession of the said property therein bearing No. 73/7 of Verna Village.

Aires Pinto Furtado

(Adv. Aires Pinto Furtado)