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9th June 2025

TITLE REPORT

I have been requested by Mrs. Viola Fernandes, resident at Navelim, Salcete, Goa, to give my opinion as to the title in respect of the Survey Holding bearing No.2/4-B-1 of Seraulim Village, Salcete, Taluka. admeasuring 3000 sq.mts.;

I have been informed that the said Survey Holding is a part of a bigger property known as "ZOINA SANTUGODALEM", which is described in the Land Registration Office under No.21027 New Series;

I have also been informed that the property bearing Land Registration No.21027 New Series is formed of properties bearing Land Registration Nos.316 and 20728, both of New Series;

1) For the said purpose the following documents were handed over to me:

a) Public Deed of Sales and Quittances, executed on 23/6/1910, before the Notary of Salcete, Constancio Roque Bernardo Salvador da Costa,

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- b) Land Registration Certificate bearing No.21027, New Series, along with the relevant inscriptions,
- c) Certificate issued by the Mamlatdar and Head of Taluka Revenue Office, Salcete, Margao, with respect to Matriz Nos.290 and 292,
- d) Records of Orphanological Proceedings bearing No. 1996/1924,
- e) Deed of Ante Nuptial Convention with Gift, Receipt, Agreement, Quittance and Hypothecation dated 31/12/1930, executed before the Notary of Judicial Division of Salcete, Margao, Carlos Caetano de Souza,
- f) Affidavit executed by Maria Purificacao Joanes Fernandes on 7/6/1994, before the Notary, A.V. Prabhudessai,
- g) Certificate of Burial issued by the Church of St. John the Baptist, Benaolim,
- h) Deed of Sale, Acquittance, Gift and Assignment dated 25/2/1946, executed before Assistant Notary of

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the Judicial Division of Salcete, at Margao, Anandarau
Babu Camotim Redcar,

- i) Public Deed of Sale, Acquittance and Gifts dated 10/4/1942, executed before Assistant Notary of the Judicial Division of Salcete, at Margao, Francisco Xavier Roque da Cruz,
- j) Deed of Sale dated 6/6/1994, registered before the Sub-Registrar of Salcete, at Margao, under No.1786,
- k) Deed of Sale dated 6/6/1994, registered before the Sub-Registrar of Salcete, at Margao, under No. 1787,
- l) Deed of Ratification dated 17/7/1995, registered before the Sub-Registrar of Salcete, at Margao, under No. 1484,
- m) Judgment, Order and Decree dated 21/12/2009 of the Civil Judge, Junior Division, at Margao, in Regular C. Suit No.80/95/D,

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- n) Judgment and Order dated 30/11/2010 of the Adhoc District Judge-2, FTC-II, South Goa, at Margao, in Regular C. A. No.73/2010,
- o) Judgment and Order dated 27/8/2013 of the High Court of Bombay at Goa, in Second Appeal No.48/2011,
- p) Form 1 and XIV of Survey No.2/4-B-1 of Seraulim Village,
- q) Survey Plan of Survey No.2/4-B-1 of Seraulim Village
- r) Sanad bearing No.CAD2SAL08-23-179/19 dated 11/1/2024, issued by the Additional Collector-II, South Goa, Margao,
- s) Technical Clearance Order bearing Ref. No.TPM/34857/Seraul/2/4-B-1/2025/1137, dated 13/2/2025, and Technical Clearance Order bearing Ref. No.TPM/34857/Seraulim/2/4-B-1/2025/3858, dated 28/5/2025, both issued by the Town and Country Planning Department, South Goa, Margao,
- ...5/-

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t) Construction Licence No.VP/S/23/2024-25 dated 21/2/2025, and Construction Licence No.VP/S/04/2025-26 dated 23/6/2025, both issued by the Office of the Village Panchayat, Seraulim,

u) NOC bearing No.DHS/2025/DHS0901/O0014/34 dated 19/2/2025.

II) Perusal of the documents:-

i) The document at Serial No. (a)- Public Deed of Sales and Quittances, executed on 23/6/1910, before the Notary of Salcete, Constancio Roque Bernardo Salvador da Costa, establishes that:

(a) Trinidade Sebastiao Gomes and his wife, Emelia Carmelina das Flores Cardozo have transferred their property known as Zoina Santugadalem, situated at Seraulim, described in the Land Registration of Salcete under No.20728, New Series, and enrolled in the Land Revenue Office under Matriz No.290, to Joaquim Conciecao Joanes;

(b) Visnum Poy Raiturkar and his wife, Locxmin Poinim, of Margao have transferred their property known as Zoina Santugodalem, situated at Seraulim,

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described in the Land Registration of Salcete under No.316 New Series, and enrolled in the Land Revenue Office under Matriz No.292, to Joaquim Conceicao Joanes;

The said document also establishes that the two properties sold to Joaquim Conceicao Joanes are abutting each other and reunite to form one property, which with the exclusion of ingrowing property of Francisco Antonio Gonsalves, of Seraulim is bounded towards the East by Constancio Piedade de Souza, on the West by the heirs of Luciano Alvares and of the said Francisco Antonio, on the North by Piedade Xavier Menezes and the said Francisco Antonio and on the South by the said heirs of Luciano Alvares and the drain;

ii) The document at Serial No.(b)- Land Registration Certificate bearing No.21027, New Series, establishes that at Seraulim Village of Salcete Taluka, there is a property known as "ZOINA SANTUGODALEM", which is bounded on the East by Constancio Piedade de Souza, on the West by the heirs of Luciano Alvares and Francisco Antonio Gonsalves, on the North with that of Piedade Xavier de Menezes and the said

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Francisco Antonio and on the South by that of the heirs of Luciano Alvares and the drain;

The Land Registration Certificate also establishes that the said property described under No.21027, New Series, is formed of properties bearing Land Registration Nos.316 and 20728, both of New Series;

The Land Registration Certificate also establishes that the said property bearing No.21027, New Series, is inscribed in favour of Joaquim Conceicao Joanes for having purchased the same from Trindade Sebastiao Gomes and his wife, Emelia Carmelina das Flores Cardozo and Visnum Poy Raiturkar and his wife, Locximim Poinim, which inscription is based on a Public Deed dated 23/6/1910;

The Land Registration Certificate also shows that the inscription in favour of Joaquim Conceicao Joanes is converted into definitive;

The document at Serial No.(c)- Certificate issued by the Mamlatdar and Head of Taluka Revenue Office, Salcete, Margao, with respect to Matriz Nos.290 and 292, establishes that the properties enrolled in the

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Taluka Land Revenue Office of Salcete of the Village of Seraulim for Land Tax Records under Nos.290 and 292, are both inscribed in the name of Joaquim Conceicao Joanes of Seraulim;

iv) The document at Serial No.(d)- Records of Orphanological Inventory Proceedings bearing No. 1996/1924, establish that on the death of Joaquim Conceicao Joanes, Orphanological Inventory Proceedings were initiated;

The said records also establish that the said Joaquim Conceicao Joanes has expired leaving Agostinha Dias, as his widow and moiety holder, and his six children, as his only heirs, namely, (a) Claudina Joanes, married to Sebastiao Severino Fernandes, (b) Marinha Purificacao Joanes, (c) Sabina Joanes, (d) Catarina Joanes, (e) Feliciano Joanes, and (1) Menino Jose Leao Joanes;

The records further establish that the property known as "ZOINA SONTUGODALEM", bearing Land Registration No.21027, New Series is enlisted as Item No.2 and that by Map of Partition. which is confirmed by Judgment dated 13/1/1925, is allotted

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in the share of 5/6th to the widow, Agostinha Dias, 1/18th to Claudina Joanes, 1/45th to Marinha Purificacao Joanes, 1/45th to Sabina Joanes, 1/45th to Catarina Joanes, 1/45th to Feliciano Joanes and 1/45th to Menino Jose Leao Joanes;

v) The documents at Serial Nos.(e) and (1) Deed of Ante Nuptial Convention with Gift, Receipt, Agreement, Quittance and Hypothecation dated 31/12/1930, executed before the Notary of Judicial Division of Salcete, Margao, Carlos Caetano de Souza read with Affidavit executed by Maria Purificacao Joanes Fernandes on 7/6/1994, before the Notary, A.V. Prabhudessai, establish that the said Maria Purificacao Joanes had sold all her rights in assets allotted to her in the Inventory Proceedings held on the death of her father, to her brother, Menino Jose Leao Joanes.

The said rights sold would include her 1/45th right in the property bearing Land Registration No. 21027, New Series.

vi) The document at Serial No (f) Certificate of Burial issued by the Church of St. John the Baptist,

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Benaulim establishes that Sabina Joanes expired on 5/7/1925 at the age of 13 years;

The said document proves that Sabina Joanes expired when she was a minor and hence a spinster; from the same it can be concluded that the share of Sabina Joanes in the said property, to the extent of 1/45th share, came to be inherited by her mother, namely, Agostinha Dias;

vii) The document at Serial No.(g) Acquittance, Gift Deed of Sale, and Assignment dated 25/2/1946, executed before Assistant Notary of the Judicial Division of Salcete, at Margao, Anandarau Babu Camotim Redcar, establishes that Catarina Joanes and her husband, Agostinho Pereira have sold their 1/45th share in the property "ZOINA SANTUGODALEM", bearing Land Registration No. 21027, New Series, to her brother, Menino Jose Leao Joanes.

viii) The document at Serial No.(i) Public Deed of Sale, Acquittance and Gifts dated 10/4/1942, executed before Assistant Notary of the Judicial Division of Salcete, at Margao, Francisco Xavier Roque

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da Cruz, establishes that (a) Feliciano Joanes sold her 1/45th share in the property "SANTUGODALEM", bearing Land Registration No. 21027, New Series to her brother, Menino Jose Leas Joanes, and (b) Agostinha Dias gifted her 5/6 + 1/45 share in the property "ZOINA SANTUGODALEM", bearing Land Registration No. 21027, New Series, to her son. Menino Jose Leao Joanes;

It can be concluded that the additional 1/45 share gifted by Agostinha Dias is the share inherited by her on the death of her minor daughter, Sabina Joanes.

ix) The document at Serial Nos. (1) and (k)- Deed of Sale dated 6/6/1994, registered before the Sub-Registrar of Salcete, at Margao, under No.1786, and Deed of Sale dated 6/6/1994, registered before the Sub-Registrar of Salcete, at Margao, under No.1787, establish that Menino Jose Leao Joanes and his wife, Maria Rosa Piedade Joanes have represented themselves to be the absolute owners of the two adjoining properties bearing Land Registration No.20728 and 316, both of New Series, which have come to bear Survey Nos.2/4 and 3/4 of Seraulim Village.

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The said Deed of Sale bearing Registration No.1786 establishes that Menino Jose Leao Joanes and his wife, Maria Rosa Piedade Joanes have divided the Survey No. 2/4 of Seraulim Village into three Plots, A, B and C, and by the said Deed, sold Plots A and B admeasuring 3000 sq.mts. and 3502 sq.mts. respectively, to Mrs. Viola Fernandes.

The said Deed of Sale bearing Registration No.1787 establishes that Menino Jose Leao Joanes and his wife, Maria Rosa Piedade Joanes have divided the Survey No. 2/4 of Seraulim Village into three Plots, A, B and C, and by the said Deed, sold Plot C admeasuring 1473 sq.mts. and the Survey No.3/4 of Seraulim Village admeasuring 75 sq.mts. to Inacio Fernandes.

x) The document at Serial No. (1) Deed of Ratification dated 17/7/1995, registered before the Sub-Registrar of Salcete, at Margao, under No.1484, establishes that the First Parties therein, who have represented to be the heirs of Claudina Joanes Fernandes and her husband, Sebastiao Severino Fernandes have ratified the two Deeds of Sale, both dated 6/6/1994 bearing Registration Nos. 1786 and

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1787, executed in favour of Viola Fernandes and Inacio Fernandes, respectively;

xi) The documents at Serial Nos. (m), (n) and (o)- Judgment, Order and Decree dated 21/12/2009 of the Civil Judge, Junior Division, at Margao, in Regular C. Suit No.80/95/D, Judgment and Order dated 30/11/2010 of the Adhoc District Judge-2, FTC-II, South Goa, at Margao, in Regular C. A. No.73/2010, Judgment and Order dated 27/8/2013 of the High Court of Bombay at Goa, in Second Appeal No.48/2011, establish that the Civil Court has declared that Inacio Fernandes and Viola Fernandes (the Defendants in the suit) are the sole and absolute owners of Survey Nos.2/4 and 3/4 of Seraulim Village, which Order has been confirmed by the District Court and also been confirmed by the High Court.

xii) The documents at Serial Nos.(p) and (q)- Form 1 and XIV and Survey Plan of Survey Nos.2/4-B-1 of Seraulim Village, establish that Viola Fernandes has obtained a separate Survey No.2/4-B-1 of Seraulim Village for the Plot A of 3000 sq.mts. purchased by her;

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xiii) The documents at Serial Nos. (r), (s), (t) and (u) - Sanad bearing No.CAD2SAL08-23-179/19 dated 11/1/2024, issued by the Additional Collector-II, South Goa, Margao, Technical Clearance Orders issued by the Town and Country Planning Department, South Goa, Margao, Construction Licences issued by the Office of the Village Panchayat, Seraulim, and NOC bearing No.DHS/2025/DHS0901/O0014/34 dated 19/2/2025, establish that Viola Fernandes has obtained the necessary permissions from the authorities concerned, to construct Row Houses, Residential Building, and Compound wall as per approved Plans in Survey No.2/4-B-1 of Seraulim Village;

(III) Conclusion:

From the above documents, the following can be seen:-

(a) That the property bearing Land Registration No.21027 of New Series (which consists of properties earlier bearing Land Registration Nos.316 and 20728,

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both New Series), originally belonged to Joaquim Conceicao Gomes,

(b) That on the death of Joaquim Conceicao Gomes, Inventory Proceedings were instituted, wherein the property was allotted in the share of 5/6th to the widow, Agostinha Dias, 1/18th to Claudina Joanes, and 1/45th each to the heirs, Marinha Purificacao Joanes, Sabina Joanes, Catarina Joanes, Feleciana Joanes and Menino Jose Leao Joanes;

(c) That on the death of Sabina Joanes, her share was inherited by her mother, Agostinha Dias:

(d) That Agostinha Dias has transferred her 5/6 and inherited 1/45th share in the property to Menino Jose Leao Joanes;

(e) That Marinha Purificacao Joanes, Catarina Joanes and Feleciana Joanes have transferred their respective 1/45th share in the property to Menino Jose Leao Joanes;

(f) That Menino Jose Leao Joanes and his wife representing themselves to be the absolute owners

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sold Plots A and B of the property to Viola Fernandes and the Plot C admeasuring 1473 sq.mts. of Survey No.2/4 of Seraulim Village and Survey No.3/4 of Seraulim Village, which are parts of the property, to Inacio Fernandes;

(j) That the heirs of Claudina Joone's have ratified the Deeds of Sale executed by Menino Jose Lean Joanes and his wife in favour of Viola Fernandes and Inacio Fernandes;

(h) That the Civil Court has declared Inacio Fernandes and Viola Fernandes as the absolute owners of the entire Survey No.2/4 of Seraulim Village, which declaration Order has been confirmed by the District Court and High Court of Bombay;

(i) That Viola Fernandes has obtained a separate Survey number 2/4-B-1 of Seraulim Village, for the Plot of 3000 sq.mts. purchased by her;

(j) That Viola Fernandes has obtained all the necessary permissions to construct Row Houses and Residential building in the said property;

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I am therefore of the opinion that Viola Fernandes and her husband, Inacio Fernandes are the absolute and exclusive owners of the property surveyed under Survey No. 2/4-B-1 of Seraulim Village, and have permissions to construct Row Houses, Residential Building, and Compound Wall in the said property as per the approved Plan.

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