

Savio Monteiro

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To,

Olalian Estate Private Limited,

office at H.No 325,

Khalap Waddo, Canca, Bardez,

Goa North-Goa GA 403510

TITLE REPORT

- I. I have perused the photocopies of the following documents:
- 1) Deed of purchase, sale & acquittance dated 08/02/1923.
 - 2) Deed of gift of acceptance, bearing no.641, at pages 58 to 59V, dated 31st August 1963.
 - 3) Deed of revocation of gift along with translations dated 14/10/1964
 - 4) Deed of Gift dated 14/01/1967
 - 5) Manual form I and IV
 - 6) Deed of sale dated 26 April 2021
 - 7) Old Cadastral Plan
 - 8) Sale deed dated 13 March 1967
 - 9) Registo Do Agrimensor.
 - 10) Last will and testament of Januario Ludovico De Souza dated 25th July 1987.
 - 11) Survey report/Corresponding certificate from S.A Dhuri Architect, dated 6th December 2018.
 - 12) Regular inventory proceedings no.179/2016/F, dated 28th April 2016 filed in the Court of Civil Judge, Junior Division at Mapusa.
 - 13) land description Certificate.
 - 14) Land Inscription Certificates.
 - 15) Regular civil suit no. 117/2021/E, filed before the court of the Civil Judge Junior Division, at Mapusa.



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- 16) Technical clearance order having ref no: TPB / 7000 / ASSG / TCP-21 / 4084, dated 04th Nov 2021.
- 17) NOC from sanitary point of view for proposed construction issued by Directorate of Health Services government of Goa PHC siolim health care siolim Goa, dated 03rd November 2021.
- 18) Construction license issued by Village Panchayat of Assagao, dated 13/11/2021.
- 19) Conversion of use of Land issued by the Office of the additional collector-III, north Goa district, Mapusa Goa, no. 04/124 / CNV / AC-III / 2021 dated 01 September 2021.
- 20) NIL certificate of encumbrance on property dated 08/10/2021.

II. DESCRIPTION OF THE PROPERTY:

SCHEDULE-I

All that Property known as "MAZALWADA" alias "GORCHEMBATULEM" admeasuring an area of 3100 square meters situated at Assagao within which there exist a house in ruins within the jurisdiction and Village Panchayat of Assgao, Taluka, Sub District of Bardez North Goa District and State of Goa and presently surveyed under survey no 121/6, Cadastral (old) Survey No 1210 of Village Assagao, found described in the Land Registration of Bardez under Description No 40700 at Page 123 of Book B-104 and found enrolled in the Taluka Revenue Office of Bardez under Matriz No 441 of the first Circumscription of Assagao and bounded as under:

East: By property bearing survey no 121/8 and 7 of Village Assagao.

West: By property bearing survey no 121/5-A of Village Assagao.

North: By Public Road of Village Assagao.



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South: By Public Road of Village Assagao.

This property shall hereinafter referred to as the" **SAID PROPERTY**".

III. TRACING OF PARTIES TITLE:

1. The said property originally belonged to Caetano Jose de Souza.
2. The Registo do Agrimensor and Land Survey Record reveals that the said Property bearing old Cadastral Survey No. 1210 reflects the name of Caetano Jose de Souza.
3. Correspondence Certificate dated 06/12/2018 issued by Surveyor, S.A Dhuri Architect, reveals that the said Property bearing old Cadastral Survey No. 1210 corresponds to survey No. 121/6 of Village Assagao, Bardez – Goa.
4. The said property came to be sold in public auction and was taken in auction by Maria Thometilda Castelino on 15/01/1960 in the Civil Court Judicial Division of Bardez filed by the State Representative against Caetano Jose de Souza alias C. J Puff in execution proceedings for recovery of cost.
5. The name of Maria Thometilda Castelino stands, inscribed in her favor under Inscription of transfer no 40017 at folio 108 of Book G 43, of the Land Registration Records of the then Judicial Division of Bardez.
6. The said Maria Thometilda Castelino, vide Deed of Gift with Acceptance dated 31/08/1963, transfers unto Romualdo de Souza her



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entire right, title, command and possession that she had to the said property with reservation of the lifetime usufruct for herself and without prejudice to the usufruct that is reserved by the said Deed of Gift with Acceptance dated 31/08/1963 which came to be drawn up in the Book No 641 at pages 58 to 59 reverse of the Notarial office of Bardez at Mapusa.

7. The name of Romualdo de Souza stand inscribed in his favour under Inscription of transfer no 41171 at folio 116 of Book G 44, of the Land Registration Records of the then Judicial Division of Bardez.
8. The said Deed of Gift with Acceptance dated 31/08/1963 came to be revoked by Maria Thometilda Castelino by reverting the said property from Romualdo de Souza in favor of herself i.e Maria Thometilda Castelino vide Deed of Revocation of Gift dated 14/10/1964 which came to be drawn in the office Notary Book of Deeds bearing no 662 at pages 58V to 60 of the Notarial Office of Bardez.
9. The said Maria Thometilda Castelino gifted the said property to Fr. Januario Ludovico de Souza without prejudice to the usufruct that is reserved to herself and the entire ownership, title, command, and possession that she had to the said property is gifted to Fr. Januario Ludovico de Souza vide Deed of Gift dated 14/01/1967 which came to be registered in the office of the Civil Registrar Cum Sub Registrar of Bardez at Mapusa under no. 784 of Book No I Volume no 15 at pages 120 to 122 dated 13/03/1967.



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10. That Fr. Januario Ludovico de Souza expired as a bachelor on 15/11/2015 at Vinodhagan Memorial Hospital Trichy Road, Thanjavur Tamil Nadu but left behind a Will dated 25/07/1987 in favour of Mrs. Noreen Fernandes with respect to the Said property.
11. Inventory Proceeding came to be initiated by Mrs. Noreen Fernandes on the death of Maria Thometilda Castelino and Fr. Januario Ludovico de Souza which came to be registered under Inventory Proceeding bearing no 179/2016/F, before the Civil Court Junior Division at Mapusa.
12. The said Maria Thometilda Castelino who was married to Mr. Lawrence Caetano D'Souza both expired leaving behind their sole and universal heirs the following children namely
- a) Mr. Luciano Marshall D'Souza alias Luciano Marcal de Souza married to Eutiga Regina Clodulfa de Saldanha alias Eutiga Regina Dsouza.
 - b) Mr. Romualdo D'Souza who was married to Mrs. Antonette D'Souza.
 - c) Fr. Januario Ludovico de Souza who was unmarried.
13. The said Luciano Marshall D'Souza alias Luciano Marcal de Souza and his wife Eutiga Regina Clodulfa de Saldanha alias Eutiga Regina Dsouza both expired leaving behind their sole and universal legal heirs:
- a) Mrs. Noreen Fernandes married to Mr. Joseph Fernandes



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14. The said Mr. Romualdo D'Souza who was married to Mrs. Antonette D'Souza both expired without any issues.
15. The inventory proceeding bearing no 179/2016/F confirms that Mrs. Noreen Fernandes and her husband Mr. Joseph Fernandes are the only legal heirs of Maria Thometilda Castelino and Fr. Januario Ludovico de Souza and therefore the said Mrs. Noreen Fernandes and her husband Mr. Joseph Fernandes are exclusive owners of the SAID PROPERTY.
16. Vide Deed of Sale dated 26/04/2021 registered before Sub-Registrar of Mapusa, Bardez - Goa under No. BRZ-BK1-1793-2021, Book 1 dated 27/04/2021, the said Mrs. Noreen Fernandes along with her husband Mr. Joseph Fernandes as VENDORS, Mrs. Rita Mendonca, Mr. Richard John Mendonca, Mr. Mario Agnelo Peter Lobo along with his wife Mrs. Esmeralda Maria Lobo, Mr. Mayur Murari Sail along with his wife Mrs. Namita Mayur Sail as Confirming Party, sold the **said Property** in favor of Olalian Estate Pvt. Ltd.
17. It is noticed that the name of late Mildred Patrick Mendonca is erroneously recorded in the occupant column in the form I and XIV of the said property.
18. Regular Civil Suit No. 117/2021/E was filed before the Senior Civil Judge at Court at Mapusa - Goa by Olalian Estate Pvt Ltd against the said Mrs. Noreen Fernandes married to Mr. Joseph Fernandes, Mrs. Rita Mendonca, Mr. Richard John Mendonca, Mr. Mario Agnelo Peter



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Lobo married to Mrs. Esmeralda Maria Lobo, and by Consent Decree dated 10/08/2018 passed in Regular Civil Suit No. 117/2021/B by the Senior Civil Judge Court at Mapusa – Goa, the said Mrs. Rita Mendonca, Mr. Richard John Mendonca, Mr. Mario Agnelo Peter Lobo married to Mrs. Esmeralda Maria Lobo, as legal heirs of Mildred Patrick Mendonca admitted that the entry of Mildred Patrick Mendonca in the form I & XIV was erroneous entry and that they had no right in the said Property and delete his name, whilst acknowledging that now the exclusive ownership of said property belongs to Olalian Estate Pvt Ltd.

19. In light of above, considering the fact that the Inscription and Description records and Judgment and Order dated 30/07/2021 passed by the Civil Judge Senior Division, at Mapusa – Goa, in Regular Civil Suit No. 117/2021/E and Deeds of Sale both dated 26/04/2021 and the Survey Records in respect of the said property have remained unchallenged and the survey records corresponds to the devolution of title and is consistent with the ownership of the present owners, I am of the opinion that Olalian Estate Pvt Ltd has clear and marketable title in respect of the **said Property**.

VI. PERMISSION

- a) Technical Clearance Order dated 06/08/2021 bearing No. TPB/7000/ASSG/TCP-21/4084, dated 04/10/2021 issued by Senior Town Planner, Mapusa – Goa has been obtained for the proposed construction of Residential Villas and Swimming Pool in the **said Property**.



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- b) NOC from sanitary point of view for proposed construction issued by Directorate of Health Services government of Goa PHC Siolim Health Care Siolim Goa, dated 03rd November 2021 having ref No.DHS/2021/DHS0901/00023/179.
- c) Construction license dated 13/11/2021 bearing No. VP/ASSG/2021-22/1177, issued by Village Panchayat of Assagao - Goa has been obtained for the proposed construction of Residential Villas and Swimming Pool in the said Property.
- d) SANAD-Conversion of use of Land issued by the Office of the additional collector-III, north Goa district, Mapusa Goa, no. 04/124 / CNV / AC-III / 2021 dated 01 September 2021.
- e) Conversion Sanad dated 01/09/2021 bearing No. 04/124/ CNV/AC-III/2021/1124 issued by the Additional Collector-III, North Goa District, Mapusa - Goa has been furnished to establish that the **said Property** is converted from agricultural to non-agricultural purposes.

V. EVIDENCE OF POSSESSION: -

The said Property bearing Survey No. 121/6 reflects the names of Olalian Estate Private Limited in Form I & XIV issued by the Department of Survey, Government of Goa.

VI. ENCUMBRANCE ON PROPERTY: -

I have taken search in the Office of the Sub-Registrar of Mapusa, Bardez - Goa and have not found any registered mortgages in respect of the **said Property**. NIL



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Encumbrance Certificate dated 08/10/2021 bearing No. 2241/2021 in respect of the **said Property** is furnished to establish that there is no encumbrance

CERTIFICATE

From the documents produced from my scrutiny, I hereby certify that **OLALIAN ESTATE PRIVATE LIMITED** has a clear and marketable title in respect of the said Property.

Place:-Panaji-Goa.
Date:- 11/11/2021


(Adv. Savio Monteiro)

