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Date: 23/03/2017

OPINION OF TITLE

This opinion is issued at the request of Mr. Kasu Venkata Rajagopal Reddy, Mrs. Kasu Anitha Reddy, Ms. Kasu Dhruthi Reddy and Ms. Kasu Jyotsna Reddy All residents of Bangalore, Karnataka.

DESCRIPTION OF PROPERTY:**SCHEDULE-I**


All that immovable property known as "TANQUE OF COPAGALY" situated at Village Anjuna, Bardez, Goa, within the limits of the Village Panchayat of Anjuna, Taluka and Sub District of Bardez presently surveyed under survey no. 434/32 of Village Anjuna, admeasuring 4000 sq. mts, the said property is bounded as under:

ON THE NORTH : By property bearing Survey

No.434/30,434/29 and 434/24

of Village Anjuna.

ON THE SOUTH : By road


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ON THE EAST : By property bearing Survey
No.434/24 and 25 of Village
Anjuna

ON THE WEST : By property bearing survey no.
434/31.

SCHEDULE-II

All that immovable property known as "TANQUE OF COPAGALY"
in which there exist a house, situated in Village Anjuna, Bardez, Goa,
within the limits of Village Panchayat of Anjuna, Taluka and Sub-District of
Bardez presently surveyed under Survey No. 434/31 of Village Anjuna
totally admeasuring 1050 sq. mts and bounded as under:

ON THE NORTH : By property bearing Survey
No.434/29 of Village Anjuna.

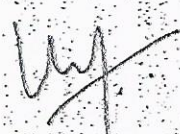
ON THE SOUTH : By property bearing Survey
No.434/32 of Village Anjuna.

ON THE EAST : By of property bearing Survey No.
434/32 of Village Anjuna

ON THE WEST : By road.

Documents Produced

I) Form I & XIV of survey number 434/31.

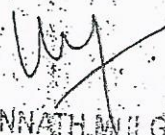

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- II) Form I & XIV of survey number 434/32.
- III) Survey plan of both survey numbers 434/31 and 434/32.
- IV) Copy of Deed of Sale dated 03/03/1922 with english translation.
- V) Certified copies of inventory proceedings number 35/2016/C before Civil Judge Senior Division, Mapusa.
- VI) Certified copies of inventory proceedings number 635/2015/A before Civil Judge Senior Division, Mapusa.
- VII) Public notice dated 15/09/2016 published in Navhind Times and Tarun Bharat.
- VIII) Power of Attorney dated 21/09/2016 executed before Indian Consulate General, Sydney Australia.
- IX) Deed of Sale dated 07/10/2016 registered with the Sub-Registrar of Bardez at Mapusa under no. BRZBK104232.

FLOW OF TITLE

1. On perusal of the English translation of the Deed of Sale dated 03/03/1922, it is seen that Francisco Fernandes and his brother Daniel Fernandes purchased a property known as "Tanque of Corpagali" situated in Anjuna Village, Bardez and therefore acquired equal right in the said property. The said property presently bears survey no. 434/2 and 434/1 of village Anjuna, Bardez, Goa.

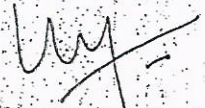
2. It is seen from the certified copy of the inventory proceedings 35/2016 that the said inventory proceedings were initiated by Mrs. Joanita D'Souza upon the death of Daniel Fernandes and his successors. In the said inventory proceedings half undivided right in the property known as "Tanque of Corpagali" bearing survey number 434/32 was listed as item number 1 and


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half undivided right of property bearing survey number 434/31 was listed as item number 2. In the chart of allotment dated 31/03/2016 item number 1 and item number 2 were allotted to Mrs. Joanita D'Souza and her husband Joseph Agnelo Fernandes. By judgment dated 13/4/2016 the final chart of allotment was confirmed. The half undivided right in the said property known as "Tanque of Corpagali" surveyed under survey number 434/32 and 434/31 which belonged to late Daniel Fernandes was allotted to Joanita D'Souza and her husband Joseph Agnelo Fernandes.

3. On perusal of the certified copy of the inventory proceedings 635/2015/A initiated by Darryl Daniel Fernandes it is seen that the same were initiated upon the death of Francisco Fernandes, his wife Philomena Fernandes and their successors. In the said inventory proceedings half undivided in property known as "Tanque of Corpagali" of village Anjuna bearing number 434/32 and half undivided share in property number 434/31 of village Anjuna were listed as item number 1 and 2 as respectively. By final chart of allotment dated 29/9/2016 the item number 1 and 2 were allotted to Darryl Daniel Fernandes. The said allotment was confirmed by order dated 29/10/2016.

4. By Deed of Sale dated 7/10/2016 Joanita Agnelo Fernandes transferred half undivided share in property bearing survey number 434/32 and 434/31 in favour of Mr. K. Rajagopal Reddy, Mrs. Kasu Anitha Reddy, Ms. Kasu Dhruthi Reddy and Ms. Kasu Jyotsna Reddy. By the same Deed of Sale Mr. Darryl Daniel Fernandes transferred his half undivided right in properties bearing survey number 434/32 and 434/31 to Mr. K. Rajagopal Reddy, Mrs. Kasu Anitha Reddy, Ms. Kasu Dhruthi Reddy and Ms. Kasu Jyotsna Reddy. In the said Deed of Sale Mrs. Rose Conception i.e. wife of Mr. Darryl Daniel Fernandes has given her consent as confirming party No. 1.


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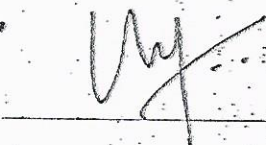
5. In the said Deed of Sale dated 07/10/2016 Mr. Pankaj Dabral and Mr. Uttam Kumar who held an agreement of leave and license with respect to the said property have been joined as confirming number 2 and 3 respectively and therefore consented to the said deed and also terminated their rights which existed as licensees.

6. The Deed of Sale dated 07/10/2016 Mr. K. Rajagopal Reddy, Mrs. Kasu Anitha Reddy, Ms. Kasu Dhruthi Reddy and Ms. Kasu Jyotsna Reddy have carried out mutation in the survey records of both properties and their names are found in the survey Form I and XIV of both survey Numbers.

7. It is therefore clear that Mr. K. Rajagopal Reddy, Mrs. Kasu Anitha Reddy, Ms. Kasu Dhruthi Reddy and Ms. Kasu Jyotsna Reddy are exclusive owners of properties bearing 434/2 and 434/1 of village Anjuna, Bardez-Goa.

CONCLUSION :

On perusal of the above documents it is clear that the absolute right of ownership and full title to the said property bearing survey no. 434/2 and 434/1 of village Anjuna, Bardez, Goa has been transferred in favour of Mr. Kasu Venkata Rajagopal Reddy, Mrs. Kasu Anitha Reddy, Ms. Kasu Dhruthi Reddy and Ms. Kasu Jyotsna Reddy, who in my considered opinion are absolute owners in possession of the said property.



(Jagannath Mulgaonkar)

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