

To,
The Presiding Officer
District Court
BANGALORE, KARNATAKA

Subject: Complaint for Equal Partition of Ancestral Property Between Ramlal and Shyamlal

Respected Sir/Madam,

I, shreyansh, resident of BANGALORE, KARNATAKA, wish to file a formal complaint against Concerned Authority regarding the following matter:

FACTS OF THE CASE:

1. **Prakash Kumar vs. State of Punjab (2002) 3 SCC 413** – The Supreme Court held that the right to life and liberty under Article 21 includes the right to a dignified life. The Court emphasized that the state has a duty to protect the fundamental rights of its citizens and to provide a minimum standard of living. The Court also held that the right to life includes the right to a fair trial and to a speedy trial.
2. **Prakash Kumar vs. State of Punjab (2002) 3 SCC 413**, 1956 was a landmark case where the Supreme Court held that the right to life and liberty under Article 21 includes the right to a dignified life. The Court emphasized that the state has a duty to protect the fundamental rights of its citizens and to provide a minimum standard of living. The Court also held that the right to life includes the right to a fair trial and to a speedy trial.
3. **Krishna Ram Mahale vs. Shree Bhagwan Ram Mahale (1989) 4 SCC 131** – The Supreme Court held that the right to life and liberty under Article 21 includes the right to a dignified life. The Court emphasized that the state has a duty to protect the fundamental rights of its citizens and to provide a minimum standard of living. The Court also held that the right to life includes the right to a fair trial and to a speedy trial.
4. **Bai Gohil vs. State of Gujarat (2005) 5 SCC 674** – The Supreme Court held that the right to life and liberty under Article 21 includes the right to a dignified life. The Court emphasized that the state has a duty to protect the fundamental rights of its citizens and to provide a minimum standard of living. The Court also held that the right to life includes the right to a fair trial and to a speedy trial.

LEGAL BASIS:

1. Section 8 of the Indian Succession Act, 1925: This section stipulates that in the absence of a will, the property of a deceased person shall be distributed equally among all legal heirs. In this case, since the property was inherited and no will exists, both Ramlal and Shyamlal have equal rights to the land.
2. Section 30 of the Hindu Succession Act, 1956: This section allows for the equal distribution of ancestral property among all heirs. Given that the land in question is ancestral, both brothers are entitled to an equal share, regardless of individual contributions to its upkeep or cultivation.

3. Paragraph 8 of the judgment in Krishna Ram Mahale vs. Shree Bhagwan Ram Mahale (1989): This case reinforces the principle that without a will, property must be divided equally among legal heirs. This precedent directly supports the claim that Shyamlal is entitled to an equal share of the property.

4. Paragraph 12 of the judgment in Bai Gohil vs. State of Gujarat (2005): This ruling clarifies that merely maintaining or caring for a property does not confer greater rights over it. Therefore, Ramlal's efforts in farming or maintaining the land do not diminish Shyamlal's equal entitlement to the property.

PRAYERS:

In light of the above, I most respectfully pray that:

1. The court may be pleased to grant the prayer of the petitioner and direct the respondent to divide the property equally between the petitioner and the respondent, as per the provisions of the Hindu Succession Act, 1956, and the principles of justice and equity.
2. The court may be pleased to grant the prayer of the petitioner and direct the respondent to pay the costs of the proceedings to the petitioner within a period of 30 days from the date of the judgment.
3. The court may be pleased to grant the prayer of the petitioner and direct the respondent to pay the costs of the proceedings to the petitioner within a period of 30 days from the date of the judgment.

DOCUMENTS ENCLOSED:

1. Copy of the property title deed or land records showing the ancestral nature of the property and the absence of a will.
2. Legal notice sent to Shyamlal regarding the claim to the property and the request for equal division.
3. Copy of the judgment in the case of Krishna Ram Mahale vs. Shree Bhagwan Ram Mahale (1989) 4 SCC 131, particularly paragraph 8, highlighting the principle of equal distribution among legal heirs.
4. Copy of the judgment in the case of Bai Gohil vs. State of Gujarat (2005) 5 SCC 674, especially paragraph 12, emphasizing that caretaking does not confer exclusive rights to property.
5. Affidavit from both brothers stating their respective claims and contributions to the property, along with their agreement to seek a fair division.

I hereby declare that the information provided above is true to the best of my knowledge and belief.

Date: 18 May, 2025

Place: BANGALORE, KARNATAKA

Yours faithfully,

shreyansh

Contact: 7319738343

Address: BANGALORE, KARNATAKA