Rangappa

1. I have filed the above suit seeking the relief of Permanent injunction against the defendants restraining the defendants from interfering with my peaceful possession and enjoyment in respect of the plaint schedule property. In the above suit, I have also filed an application in I.A. 94/2020 seeking the relief of interim injunction against the respondents restraining them from interfering with my peaceful possession and enjoyment in respect of the plaint schedule property. The hon’ble court was pleased to grant interim injunction against the respondents. Against the said order, the defendants did not prefer any appeal. Since then, I have been cultivating the plaint schedule property without any interruption from anybody. On 06-11-2021 while I was doing agricultural work in the plaint schedule property, the defendants high handedly tried to interfere my possession over the plaint schedule property, and the same is prevented by me with the help of neighbouring land owners. Immediately I went to chippagiri police station and gave complaint, but the police asked to obtain necessary direction from the hon’ble court to implement the orders passed in I.A. 94/2020 in O.S.11/2020. The respondents are rich and influenced persons in the locality and they are having several unsocial elements in their control and they ae trying to interfere with my possession in spite of interim against them. In such a case, there is everybody likely hood of breach of peace and also harm and injury to me as well as my property. Hence I am filing this application to direct the SHO of concerned police station, Chippagiri, in the jurisdiction of which the suit property is situated, to render necessary police help and protection to me to implement the orders passed by this hon’ble court in I.A.94/2020 in O.S.11/2020, on the file of this Hon’ble Court. If the police aid is not granted, it is very difficult for me to implement the orders passed by this hon’ble court in the above I.A. Hence this Petition.

Chakali Venkatesh

1. The Plaintiff humbly submits as follows:

The plaintiff is purchased the plaint schedule property under Registered Sale Deed bearing Doc.No.384/2002, Dated: 15-04-2002. Since from the date of purchased the Plaintiff is in possession and enjoyment of the suit plaint schedule property till today. The defendants are related to the Plaintiff. The Plaintiff is bling and his wife Chakali Jayamma died on 28-01-2018. Taking advantage of his aloneness bodily infirmity, the Defendant family entered into the house of plaintiff and started living with him pretending that they will assisting him. The 2nd Defendant and her husband induced him and drawn Rs. 1,80,000/- and expended for their use and alleged to have stated that the money advanced as loan to 3rd partied on Pro-notes. They misappropriated money, gold and silver belongs to the plaintiff.

1. On 28-09-2018 the 2nd Defendant and her husband driven the plaintiff to the Sub-Registrar Office, Pattikonda and got executed Gift Deed in the name of their minor child, i.e., 1st Defendant fraudulently. The 2nd Defendant and her husband misrepresented that the plaintiff is required to put his thumb impression for the purpose of update digital biometric thumb impression for the purpose of update digital biometric thumb impression. Since, the plaintiff is pension holder in A.P Government Social Scheme for the blind and old age peoples. The defendant No.2, her husband colluded with the attesters C.Venkatappa (2nd Defendant’s Husband) and C.Veeresh colluded and subjected undue influence induced the plaintiff to put his thumb impression and got executed Gift Deed Dt:28-09-2018 in the name of 1st Defendant. The Plaintiff was not read over the content of the Gift Deed and it is suppressed with plaintiff fraudulently for unlawful gain from the plaintiff. Infact, the plaintiff never intending to transfer the suit property in the name of 1st Defendant. The attesters are planted and interested persons in favour of Defendants. Therefore, the Gift Deed Dt:28-09-2018 with respect of the suit schedule property is null and void in the eye of law.
2. The gift deed Dt:28-09-2018 got rectified on 09-10-2018 as to Vendee name is wrongly noted as Chakali Venkatesh in fact his name is Chakali Ranganath. In this instrument, some other attester i.e., C.Narasimhulu who is non-other than the father of the 2nd Respondent is signed in the rectification Gift Deed.
3. On 09-06-2019, the plaintiff approached Secretary of Gram Panchayath, Maddikera or paying Property Tax to the suit property. The Secretary of Gram Panchayath refused on the ground that the suit house is transferred in the name of 1st Defendant. Then only the plaintiff came to know that he was subjected to fraud in the hands of Defendants. Immediately the plaintiff approached local police and made a complaint against 2nd Defendant and her husband Chakali Venkaappa and the police registered a criminal case against them. The plaintiff is in possession and enjoyment of the suit property continuously without interruption anybody and trusted the Defendants due to their close relationship. The plaintiff is not delivered possession of suit property in favor of the Defendants. The plaintiff consistently trying to make his complaint with different authorities and village elders and the Defendants refused for cancellation of the Gift Deed with respect of the suit property. The legal notices also exchanged in between plaintiff and defendants. But the Defendants did not come forward to cancellation of the Gift Deed. The plaintiff approached legal Mandal Service Authority of Pattikonda on 07-11-2020 and it is registered P.L.C.No.10/2020. The defendants filed a counter and not chosen to compromise in this matter and the Hon’ble Authority closed the matter on 04-09-2021 by directing both parties to approached Civil Court. Hence, the plaintiff constrained to file the above suit for cancellation of the Gift Deed stands in the name of 1st Defendant.