3) The Plaintiff, D.1 and D.2 are own brothers and sons of Sri.Late.H.Parameshwaramma and 2.Smt.Rangamma, Smt.H.Parameshwaramma is the mother of the plaintiff as well as D.2 and Smt.Rangamma is the mother of D.1. Hence the plaintiff, D1 and D2 are the sons of Sri.Lakshmi Reddy. The Defendant 3 and 4 are the sons of Defendant No.1 who are minors and represented by their mother Smt.Lalithamma said Lakshmi Reddy kept the family of H.Parameshwaramma at Roudur Village, as she acquired landed property at Roudur Village, through her mother Smt.Gangamma further said Lakshmi Reddy kept the family of Smt.Rangamma at Vandavagali village to look after the landed property acquired through his adoptive mother Smt.Narsamma. As such he said to visit both places and used to look after the cultivation work. The Genealogical tree showing the relationship of the parties to the suit is filed herewith.

4) Originally the father of plaintiff Late.Lakshmi Reddy is the natural son of one Badagoudra Veera Reddy of Vandavagali village. One Smt.Halvi Narsamma is the own sister of Badagoudra Veera Reddy. The father of plaintiff Sri.Late.H.Lakshmi Reddy was brought up and looked after by said Smt.Halvi Narsamma and hence he was taken in adoption by Smt.Halvi Narsamma w/o Late.Halvi Hanumantha Reddy. During the lift time of Smt.H.Narsamma, she acquired the plaint scheduled property since time immemorial by way of succession and she was in possession and enjoyment of the plaint schedule lands. The Certified copy of Record of holding issued by Sub-Registrar, Alur is here with filed. After the death of Smt. Halvi Narsamma, the plaint schedule land was succeeded by H.Lakshmi Reddy and since then said Lakshmi Reddy Plaintiff, D1 and D2 were in joint and constructive possession and enjoyment of the plaint schedule lands. Thus the plaint schedule lands are ancestral property in which the plaintiff have got equal share along with his father Lakshmi Reddy, D1 and D2.

5) During the lift time of Late Lakshmi Reddy, himself, D1, D3 and D4 jointly mortgaged the Item No.1 of plaint scheduled land in favor of Co-operative society, Holagunda under Registered mortgage deed dt:30.11.2000. again on 24.12.2005 said Lakshmi Reddy, D1 and his minor sons i.e. D3 and D4 and daughter by name minor Aparna jointly mortgaged the Item No.1 of plaint Schedule land in favor of Agricultural Co-operative Society, Holagunda, said two mortgage debts were discharged by Lakshmi Reddy, through the income derived from Rowdur Lands as well as from plaint schedule lands. The certified copies of two mortgage deeds are field herewith.

6) In the year 2009, the father of plaintiff Late.H.Lakshmi Reddy died as he was bed ridden since long time. Since then the Defendant No.1 who is residing at Vandavagali Village, is looking after the cultivation work of plaint schedule lands, where as the plaintiff is in residing at Rowdur Village and looking after the estate succeeded by his mother Parameshwaramma. The plaint schedule property is the only ancestral property left behind by Late.Lakshmi Reddy and as the plaintiff, D1 and D2 who are co-owners of plaint schedule lands. As the plaint schedule lands is maintained by D1, the Defendant No.1 used to give share to the plaintiff every year till the end of Fasali 1426, out of the income derived from the plaint schedule lands.

7) while the things stood as above said, in the last week of June 2017, the plaintiff came to know that Defendant No.1 obtained a nominal Registered Gift deed dt.21-03-2009 under the document no.598/2009 from H.Lakshmi Reddy in respect of plaint schedule lands in favor of his minor children r/p by Smt.Halvi Lalithamma, the wife of D1 and mother of Minor D3 and D4 by misleading Late.H.Lakshmi Reddy. As per the knowledge of plaintiff, D1 convinced Late.Lakshmi Reddy that, they have to obtain mortgage discharge receipt from the Co-operative society, Holagaunda and under that pretext, the father of plaintiff Lakshmi Reddy who is not in a position to ascertain document and by that way D1 Obtained the Registered Gift deed. The said Gift deed is void and not binding on the plaintiff. The plaint schedule land is an ancestral property of plaintiff, defendants No.1 and No.2 and the plaintiff have got equal share in the same. Late.H.Lakshmi Reddy have no absolute right or title to alienate the plaint schedule lands in favor of D.3 and D4. Further the plaintiff came to know that the Defendant No.1 to 4 are attempting to alienate, a part of land in favor of one Kuruva Malli S/0 Kuruva Siddappa of Chinnahyata Village, under the guise of registered Gift deed under doc.no.598/2009 stealthily obtained from Late.Lakshmi Reddy. In fact, said Lakshmi Reddy was bed ridden since long time and he was not able to move from the bed and he was not in a position to sign or identify any document. Hence said Gift deed dt.21-03-2009 is sham and fabricated document which is not binding on the plaintiff. The Registered copy of Gift deed under document no.598/2009 obtained from Meeseva is filed herewith.

8) having coming to know that crocked mind of Defendant no.1, the plaintiff thought that there is no safe to be joint with the defendant no.1. Hence the plaintiff demands the division of plaint schedule lands by issuing a lawyers notice dt.10-07-2017 and the notice was served on D1, his wife Smt.Lalithamma on behalf of D3 and D4 and to the purchaser by name Kuruva Malli of Chinnahyata. Inspite of receipt of notice, the defendants have not given any reply and even they have not taken any steps to divide the schedule property into three equal shares. Hence the suit of partition and separate possession by metes and bounds.

9) cause of action to the suit arose on the day when Late.H.Lakshmi Reddy succeeded the plaint schedule property from his adoptive mother Smt.H.Narasamma and on the day when Lakshmi Reddy, plaintiff, D1 and D2 were cultivating the plaint schedule lands jointly and on 30-11-2000 and 24-12-2005 when Lakshmi Reddy, D1, D3 and D4 jointly mortgaged the Item No.1 of plaint schedule land in favor of Co-operative Society, Holagunda and the same was discharged from the means derived from property situated at Rowdur village and since the date of death of Lakshmi Reddy during the year 2009, the plaintiff, D1 and D2 were in joint and constructive possession of plaint schedule lands and on Dt.21-03-2009 when D1 stealthily obtained the Registered Gift deed from Late.Lakshmi Reddy in favor of D3 and D4 and in the last week of June, 2017 when the plaintiff came to know the fact of executing gift deed in favor of D3 and D4 back behind the plaintiff in respect of the plaint schedule lands which is situated in Vandavagali Village within the Jurisdiction of the Honorable Court.