



S.A. SHANMUGHAM, M.A., B.L.,

ADVOCATE - NOTARY

ERODE (ED.TK.) SALEM & NAMAKKAL DISTRICTS.

132, Thiruchengode Road, Pallipalayam Erode - 638006. ☎ 94432 41090

Date: 10.05.2022

LEGAL OPINION AS TO TRACING OF TITLE

IN RESPECT OF IMMOVABLE PROPERTY/PROPERTIES

To,

**The Manager,
Indian Overseas Bank,
Padaiveedu Branch,
Kumarapalayam taluk,
Namakkal DT.**

Sir,

Sub: Legal Opinion Regarding Marketability Of Title With Respect To The Properties Of The Present Owner **R Senthilkumar S/o Raju** Situate In Padaiveedu village In SF No: 141/2I2, Measuring An Extent Of 2182½ Sq.feet, House site property, Sankagiri Taluk, Salem West registration district.

Herewith I am forwarding legal opinion with respect to the above sited subject matter along with documents. The same may be received and acted upon.

Thanking you,

Place: Pallipalayam

Date: 10.05.2022


Signature of the Advocate with Seal

S. A. SHANMUGHAM, M.A., B.L.,
ADVOCATE & NOTARY,
SALEM - NAMAKKAL
ERODE - (ED.TK.) DIST.,
PALLIPALAYAM, ERODE - 638 006

Name of the owner(s) or mortgagor's	R Senthilkumar S/o Raju
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Location details of the property	SF No: 141/2I2, Padaiveedu village, Sankagiri Taluk, Salem West registration district.
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Measuring an extent	2182½ Sq.feet, House site property.
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Name of the branch seeking legal opinion	Indian Overseas Bank, Padaiveedu Branch Kumarapalayam taluk, Namakkal Dt.
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Bank panel advocate	S.A SHANMUGHAM, M.A., B.L., Advocate – Notary, 132, Thiruchengode Road, Kumarapalayam, Erode – 6. ☎ 94432 – 41090
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Shanmugham


TRANSLATION MEMO

1. Nature of document : **Registered Gift Settlement deed**
2. Registration No : **1535/2022 Dated: 08.04.2022**
3. Registered at : **SRO Sankagiri**
4. Place of execution : **Sankagiri**
5. Parties to document
- Executants** : **Mallika W/o Raju**
- Beneficiary** : **R Senthilkumar S/o Raju**
6. Total extent of property : **2182½ Sq.feet**
7. Total extent of property
- Offered as security : **2182½ Sq.feet**
8. Classification : **House site property.**
9. Location of the property : **SF NO: 141/2I2, Padaiveedu village,
Sankagiri Taluk, Namakkal district,**
10. Boundaries : **Vide schedule "A"**
11. Patta No : **Patta No: 3983, Padaiveedu village.**
12. SARFAESI Act : **SARFAESI Act 2002 Enforceable**

I certify that the above is the gist of English translation of document which are in vernacular language (Tamil). The same is true and correct.

Place: Pallipalayam

Date: 10.05.2022


Signature of the Advocate with Seal

**S 880 SNAHODONG MPAV, MALAY
ADVOCATE'S OFFICE
SANKAGIRI TALUK
ERODE DISTRICT
PALLIPALAYAM, ERODE - 638 008 S**

DESCRIPTION OF THE PROPERTY

1.	Name Of The Borrower/s			Senthilkumar	
2.	Name of his/her - father/ husband			Raju	
3.	Whether borrower is the owner Of the property, if not who is the Owner and what is her / Her relationship to the borrower			Yes – Borrower is the Owner Of the Property	
4.	The status of the owner of property – whether individual, HUF, Firm or Private Ltd. Or Public Limited Company or One Person Company or Limited Liability Partnership			Individual ownership	
5.	Whether the Owner of the Property is a Minor? If so, whether the permission of the city civil court or a district court or a court empowered under section 4A of the Guardians and Wards Act, 1890 to mortgage the property?			Owner of the Property is not Minor	
6.	Whether the property proposed to be mortgaged is owned by a Trust? If so, whether the Trust Deeds permits such a Mortgage? Whether permission from Court or any other Authority is required for such Mortgage?			The property proposed to be mortgaged is not owned by a Trust	
7.	Description of property				
S. No	Extent	Survey No	Situated in (please Door No. Name of street, village & Dist)	Boundaries	
a)	2182½ Sq.feet	SF No: 141/2I2,	Padaiveedu village, Sankagiri Taluk, Salem West registration district.	East of	S Kanthasamy property
				West of	6feet width North South Thadam
				North of	Kanthasamy vagaiyara property
				South of	S Neelamegam property
				North South on the East 22 ½ feet	
				North South on the West 22 ½ feet	
				East West on the North 98 feet	
				East West on the South 96 feet	
Total Extent:				2182½ Sq.feet	
The above description is as per the Gift Settlement deed Executed and Registered infavour of R Senthilkumar S/o Raju as Document No: 1535/2022 Dated: 08.04.2022 by Mallika W/o Raju at SRO Sankagiri.					
8.	Property is within the Registration District of & sub-registration District of		Registration District: Salem West registration district Sub-registration District: SRO Sankagiri		
9.	List of Title documents originally produced and proposed to be deposited with Bank— please also state whether the documents produced are original/ or Certified copy of the Registered Deed, photocopy etc.				
S. No	Date & Document No	Description of Document			Nature of the Document
1	08.04.2022	Registered Gift Settlement deed Executed infavour of			Original

		Sankagiri	
2.	08.04.2022 1535/2022	Registered Gift Settlement deed Executed infavour of R Senthilkumar S/o Raju, by Mallika W/o Raju at SRO Sankagiri	Certified Copy
3.	39/2022 08.04.2022	Registered Cancellation of Will by Mallika W/o Raju a mother of Borrower - Senthilkumar at SRO Sankagiri	Original
4.	9/2022 08.04.2022	Registered affidavit executed by Mallika W/o Raju for rectification of SF Number at SRO Sankagiri	Original
5.	74/2012 10.12.2012	Registered will infavour of R Senthilkumar S/o Raju by his mother Mallika at SRO Sankagiri	Original
6.	1101/2002 31.10.2002	Registered sale deed infavour of Mallika W/o Raju by Santhosam W/o Venkatachalam and her heirs Sasikumar, Sivakumar and Vijayakumar at SRO Sankagiri	Original
7.	22.04.2022	Patta No: 3983 for SF No: 141/2I2 – Padaiveedu village	Online copy
8.	10.05.2022	FMB for SF No: 284 issued by VAO Padaiveedu village	True copy
9.	10.05.2022	Adangal extract for SF NO: 141/2I2 issued by VAO Padaiveedu village	True copy
10.	10.05.2022	Chitta extract for SF NO: 141/2I2 issued by VAO Padaiveedu village	True copy
11.	06.05.2022	Permission for construction with approved plan issued by Executive officer, Padaiveedu village	Original
12.	61223382 28.03.2022	EC for the period from 01.01.1987 to 24.03.2022 issued by SRO Sankagiri	Certified copy
13.	64987986 10.05.2022	EC for the period from 01.03.2022 to 08.05.2022 issued by SRO Sankagiri	Certified copy
10.	Property Card is in the name of: Whether latest tax/kist receipts have been produced? For how many preceding years tax/kist receipts are produced?		House site property.
11.	List of further documents called for and verified before rendering opinion		Documents No: 1 to 13 in the Column No:9
12.	History of title based on documents of title (for at least the past 30 years from the date of giving the title report)		
<u>HISTORY OF TITLE BASED ON DOCUMENTS OF TITLE:</u>			
The property offered as security situate at Padaiveedu village covered n SF			

registered sale deed No: 99/1990 for valid consideration from the lawful owners.

In the course of enjoyment of the property the above said Santhosam W/o Venkatachalam joined with her heirs Sasikumar, Sivakumar and Vijayakumar in order to meet their farm expenses, discharge other sundry debts and further business development, sold out the same for valid consideration to Mallika w/o Raju, mother of the present borrower, through a registered sale deed No: 1101/2002 dated: 31.10.2022 at SRO Sankagiri and delivered possession on the same day.

In the course of enjoyment of the property the above said Mallika w/o Raju out of love and affection has executed a will with respect to the above mentioned property infavqur of his son Senthilkumar S/o Raju, and the said will has been registered as Deed No: 74/2012 dated: 10.12.2012.

In the course of enjoyment of the property the above said Mallika w/o Raju has decided to cancel the will. While drafting the cancellation deed it came to light that survey number has been wrongly mentioned as 141/2H instead of 141/2I2. Hence, it has been rectified through a registered affidavit No: 9/2022 dated: 08.04.2022 at SRO Sankagiri.

On the above said same date, the above said Mallika w/o Raju has cancelled the will by fixing correct survey number as 141/2I2, through a registered cancellation deed No: 39/2022 dated: 08.04.2022.

On the above said same date, the above said Mallika w/o Raju out of love and affection has settled the property infavour of his son Senthilkumar S/o Raju – the present borrower, through a registered Gift Settlement Deed No:1535/2022 dated: 08.04.2022, registered at SRO Sankagiri and delivered possession on the same day. This is evidenced by the recitals found in the title document.

The above said document has been properly drafted, sufficiently stamped and validly registered.

Recognizing the gift settlement, right possession and enjoyment of the property infavour of the Present owner, Revenue authorities have effected mutation in their records and given separate Patta bearing No: 3983, Padaiveedu village. Thus runs the title history of the property.

Now he has proposed to construct a house with approved plan and permission granted by the local authorities.

FLOW OF TITLE:

The present owner / borrower **R Senthilkumar S/o Raju** has become the absolute owner of the property by virtue of the registered Gift Settlement deed No: 1535/2022 dated: 08.04.2022 registered at SRO Sankagiri in his favor. He has acquired the property by virtue of Gift Settlement deed from his mother Mallika W/o Raju, who is the lawful owner of the property. Thus runs the flow of title. Now, he is having

EVIDENCE OF POSSESSION

Patta No: 3983, Chitta extract, Adangal extract, issued by the respective authorities infavour of the present owner clearly shows that he is in actual possession, use occupation and enjoyment of the property offered as security.

ENCUMBRANCE

The encumbrance certificate covering from the period 01.01.1987 to 08.05.2022 with respect to the property offered a security, did not contain any entry of encumbrance relating to the property offered as security. Hence as on date the property offered as security is free from encumbrance.

13.	Whether the mortgagor is intending to mortgage the leasehold rights of the property? If so, what is the residual period of lease? Whether specific NOC from the lessor is submitted?	Does not arise
14.	In whose name the Patta stands – In the name of the present owner or predecessor in title?	In the name of the present owner R Senthilkumar S/o Raju, Patta No: 3983
15.	Details of encumbrances, if any and if so, how they are discharged (EC for minimum of 30 years to be verified in case of advances above Rs.5 Cr. and EC for minimum of 13 years to be verified in case of all other advances)	Nil encumbrance.
16.	Whether any minor interest litigation/ attachment/ charge is involved in the property as evidenced in the title deeds/documents/EC?	Does not arise.
17.	In case of Agricultural Lands, whether Chitta 10(i) extract / Adangal or any such equivalent Revenue Record Extract as per the respective State practice verified?	Vacant house site property.
18.	If property is building, is the plot in approved layout?	Vacant house site property in approved layout.
19.	Has the building been constructed after approval of plan by relevant authorities and assessed to tax?	Property is vacant house site property, yet to be assessed to property tax.
20.	Is there any excess / vacant land attracting provision of the applicable Land Ceiling Acts?	No excess land to attracting provision of

		the applicable Land Ceiling Acts
21.	Is the property affected by Urban Land Ceiling and Regulation Act, if so, whether permission of relevant authority been obtained for creating encumbrance?	Does not arise
22.	Is the title and possession of the party to the property clear, absolute and marketable and valid mortgage by deposit of title deeds could be created:	Yes, title and possession of the party to the property is clear, absolute, marketable and valid.
23.	The list of additional documents like "Nil" E.C. for subsequent period / affidavit indemnity required to be obtained by the bank	Nil
24.	Any other remark which the lawyer rendering title deed opinion wishes to make that may be relevant for the Bank to decide on the acceptability of the referred immovable property as Security	Nil
25.	Whether there is any indication or doubt to show that the land belongs to Govt. or it is under acquisition proceedings of the Govt.?	There is no indication or doubt to show that the land belongs to Govt. or it is under acquisition proceedings of the Govt.
26.	Is there any bar for mortgaging the lands as per any local law? Eg. Prohibition for offer of agricultural lands as security for borrowing outside the State or Commercial / Non-agricultural borrowings	No bar for mortgaging the lands as per any local law.
27.	Whether the bank has right to enforce SARFAESI after creation of mortgage by deposit of title	SARFAESI Act 2002 enforceable
28.	Whether the immovable property offered as security is properly demarcated	Yes, immovable property offered as security is properly demarcated by FMB
29.	Whether the property is identifiable (Yes/No)	Yes.
30.	If the referred Immovable Property is accepted as a Security by the Bank, subsequent to mortgage by Deposit of Title Deeds, what are the procedural formalities to be completed by the Branch and the respective timelines?	EM Should be created in the bank followed by MOD should be registered.
31.	Certification: Certify that, I personally visited the Registrar Office, searched the records and ensured the correctness of the entries in the Register and there is no	

	08.04.2022 has been registered in the sub-registrar's office in the name of the owner R Senthilkumar S/o Raju and the document is genuine and can be acted upon.
33.	I certify that the documents listed by me in Column 9 and 23 above are perfect evidence of title to the immovable property proposed to be offered as security.
34.	I have carefully gone through the original title deeds and other documents of the immovable property proposed to be offered as Security before giving my report on the title to the property as mentioned above.

Place: Pallipalayam

Date: 10.05.2022


Signature of the Advocate with Seal

S. A. SHANMUGHAM, M.A., B.L.,
ADVOCATE & NOTARY,
SALEM - HINDI KHAL
ERODE - (C.D. & K.) DIST.,
PALLIPALAYAM, ERODE - 638 008