



S. Perumal

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

ADVOCATE – NOTARY

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

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

Date: 06.10.2021

LEGAL OPINION AS TO TRACING OF TITLE


IN RESPECT OF IMMOVABLE PROPERTY/PROPERTIES

Name of the owner(s) or mortgagor's	Perumal S/o late Sengoda gounder and Arukkani W/o late Sengoda gounder
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Location details of the property	SF No: 475/6, Padaiveedu village, Kumarapalayam Taluk, Namakkal Dt.
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Measuring an extent	87 Cents and in which 1292Sq.feet residential building property.
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Name of the branch seeking legal opinion	Indian Overseas Bank, Kaliyanoor 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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To,

The Manager,

Indian Overseas Bank,

Kaliyanoor Branch,

Kumarapalayam Taluk,

Namakkal DT.

Sir,

Sub: Legal Opinion Regarding Marketability Of Title With Respect To The Properties Of The Present Owner Perumal S/o late Sengoda gounder and Arukkani W/o late Sengoda gounder Situate In Padaiveedu village In SF No: 475/6, Measuring An Extent Of 87 Cents and in which 1292Sq.feet residential building property, Kumarapalayam Taluk, Namakkal 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: 06.10.2021


Signature of the Advocate with Seal

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



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TRANSLATION MEMO

1. Nature of document : **Registered Sale Deed**
2. Registration No : **51/1967 Dated: 20.01.1967**
3. Registered at : **SRO Sankagiri**
4. Place of execution : **Sankagiri**
5. Parties to document
- Executants** : **Sengodagounder s/o Vella Gounder and his heirs**
- Beneficiary** : **Perumal S/o late Sengoda gounder and Arukkani**
- W/o late Sengoda gounder**
6. Total extent of property : **87Cents**
7. Total extent of property
- Offered as security** : **87Cents and in which 1292sq.ft House.**
8. Classification : **Building and vacant Agricultural land.**
9. Location of the property : **SF NO: 475/6,**
- Padaiveedu village,**
- Kumarapalayam Taluk,**
- Namakkal District,**
10. Boundaries : **Vide schedule "A"**
11. Patta No : **Patta No: 337,**
- Padaiveedu village.**
12. SARFAESI Act : **SARFAESI Act 2002 Enforceable Since the**
- building property is situated in the part of the agricultural property to be**
- mortgaged.**

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: 06.10.2021


Signature of the Advocate with Seal

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Date: 06.10.2021

DESCRIPTION OF THE PROPERTY

1.	Name Of The Borrower/s			Perumal S/o late Sengoda gounder and Arukkani W/o late Sengoda gounder	
2.	Name of his/her - father/ husband				
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 - Borrowers are the Owners 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			Joint 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?			Owners of the Property is not Minors	
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)	87 Cents	SF No: 475/6	Padaiveedu village, Kumarapalayam Taluk, Namakkal District.	East by	475/7B
				West by	Sankagiri to Pallipalayam Main road
				North by	475/4A
				South by	475/7B
Total Extent:				87 Cents and in which 1292sq.ft House property.	
The above description is as per the Sale Deed Executed and Registered infavour of Sengoda gounder S/o Marappa gounder as Document No: 51/1967 Dated: 20.01.1967 by Sengodagounder s/o Vella gounder and his heirs at SRO Sankagiri.					
8.	Property is within the Registration District of & sub-registration District of		Registration District: Salem West 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.	20.01.1967 51/1967	Sale Deed Executed and Registered infavour of Sengoda gounder S/o Marappa gounder, by Sengodagounder s/o Vella gounder and his heirs at SRO Sankagiri	Original
2.	20.01.1967 51/1967	Sale Deed Executed and Registered infavour of Sengoda gounder S/o Marappa gounder, by Sengodagounder s/o Vella gounder and his heirs at SRO Sankagiri	Certified Copy
3.	12.09.2021	Patta No: 337, Padaiveedu village, Namakkal district	Online copy
4.	15.06.2021 31698	Property tax receipt in the name of Perumal S/o late Sengoda Gounder issued by executive officer Padaiveedu panchayat	Original
5.	---	Construction plan of house in SF NO: 475/6	Original
6.	21.02.2011 11/2011/01	Death certificate of Sengoda Gounder S/o Marappa Gounder issued by executive officer Padaiveedu panchayat	Xerox
7.	29.04.2011 6802/2011-12	Legal heirship certificate of Sengoda Gounder S/o Marappa Gounder issued by Thasildar, Tiruchengode	Xerox
8.	27.08.2021	Chitta extract for SF No: 475/4B, 3A, 3B, 4A, 5A, 5B, 6 issued by VAO Padaiveedu Village	True copy
9.	27.08.2021	Possession certificate for SF No: 475/4B, 3A, 3B, 4A, 5A, 5B, 6 issued by VAO Padaiveedu Village	Original
10.	27.08.2021	Possession certificate for SF No: 475/6 issued by VAO Padaiveedu Village	Original
11.	27.08.2021	FMB for SF No: 475/6 issued by VAO Padaiveedu Village	Original
12.	000053 20.09.2018	Death certificate of Arukkani W/o Sengoda Gounder issued by Registrar, Padaiveedu panchayat	Xerox
13.	53294208 06.10.2021	EC No: 53294208 for the period from 01.01.1990 to 04.10.2021 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?		Building with Agricultural land.
11.	List of further documents called for and verified before rendering opinion		Documents No: 1 to 13 in the Column No:17
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 originally, ancestrally belonged Sengoda Gounder S/o Vella Gounder and Sellappa Gounder S/o Sengoda Gounder and his minor son Palaniyappan S/o Sellaappa Gounder of Alampalayam, Padaiveedu village, then Tiruchengode taluk, now Kumarapalayam taluk. In the course of the enjoyment of the property, in order to meet their family and farm development expenses, the above said Sengoda Gounder S/o Vella Gounder and Sellappa Gounder S/o Sengoda Gounder and his minor son Palaniyappan represented by his father Sellaappa Gounder, joined together and sold out the property measuring an extent of 2/3 rd share in 1.43Acres and the remaining 1/3 rd			

share already owned by present borrower family, for valid consideration to Sengoda gounder S/o Marappa gounder of Alampalayam, Padaiveedu village through a registered sale deed No: 51/1967 dated: 20.01.1967, registered at SRO Sankagiri and delivered possession on the same day. This is evidenced by the recitals found in the title document. Thus the present borrower's family has become the absolute owners of the entire extent of 1.43 acres in SF No: 475/7.

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

In the course of enjoyment of the property, the above said Sengoda gounder S/o Marappa gounder died intestate on 08.02.2011, leaving his wife Arukkani and only son Perumal to succeed and inherit the property. They have succeeded and jointly inherited the property left behind by the deceased Sengoda Gounder, wife Arukkani and his son Perumal. Subsequently, Arukkani died intestate on 24.08.2018, leaving behind her only son Perumal. He succeeded and inherited the property along with his Son Minor Surendhar aged about - 16 years and Daughter Karthika - aged about 26 years. Since it is ancestral property they are also having equal right in the property offered as security. Hence they should be added as parties to loan document and minor represented by his natural guardian father Perumal, the borrower herein.

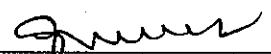
Subsequently, after Re-Survey, it has been classified as 475/6, 3B, 4A, 4B, 5A, 5B, and 6 by adding other properties of the present borrowers.

Recognizing their inheritance and succession, right possession and enjoyment of the property in favour of the Present owners, Revenue authorities and Local authorities have effected mutation in their records and included the present borrowers / owners name **Perumal S/o late Sengoda Gounder and Arukkani W/o late Sengoda gounder** in the Patta No: 337, padaiveedu village, whose name reflects in serial No: 1 and 2 respectively. Thus runs the title history of the property.

In the course of enjoyment of the property, Perumal has constructed a terrace house measuring an extent of 1292 sq. feet in SF No: 475/6. There is direct access to reach the house property from Sankagiri to Pallipalayam main road.

FLOW OF TITLE:

The present owners / borrowers **Perumal S/o late Sengoda Gounder and Arukkani W/o late Sengoda Gounder** have become the absolute owners of the property by virtue of the registered Sale Deed NO: 51/1967 dated: 20.01.1967 registered at SRO Sankagiri in their favor. They have inherited the property by virtue of above said registered Sale Deed from Sengoda Gounder s/o Vella Gounder and his heirs, who are the lawful owners of the property. Thus runs the flow of title. Now, they are having absolute, perfect, valid and readily marketable title in their favor for the property, offered as security.




EVIDENCE OF POSSESSION


The property tax receipt, Patta No: 337, issued by the respective authorities both infavour of the present owner clearly shows that they are in actual possession, use occupation and enjoyment of the property offered as security.

ENCUMBRANCE

The encumbrance certificate covering from the period 01.01.1990 to 04.10.2021 with respect to the property offered a security, **did not contain any entry of mortgage 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?	Patta No: 337
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?	Building with Agricultural land.
18.	If property is building, is the plot in approved layout?	Yes, Unapproved layout.
19.	Has the building been constructed after approval of plan by relevant authorities and assessed to tax?	Building with Agricultural land.
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 Since the building property is situated in the part of the agricultural property to be mortgaged.
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 Immoveable 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 omission of any encumbrances in the EC.
32.	I also certify that the said registered Sale Deed: 51/1967 Dated: 20.01.1967 has been registered in the sub-registrar's office in the name of the owner Sengoda gounder S/o Marappa Gounder 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.
<div> <div>Place: Pallipalayam</div> <div>Date: 06.10.2021</div> </div> <div>  Signature of the Advocate with Seal </div>	