



S.A. SHANMUGHAM, M.A., B.L.,
ADVOCATE - NOTARY
ERODE (ED.TK.) SALEM & NAMAKKAL DISTRICTS.
132, Thiruchengode Road, Pallipalayam Erode - 638006. ☎ 94432 41090

Date: 22.03.2022

LEGAL OPINION AS TO TRACING OF TITLE
IN RESPECT OF IMMOVABLE PROPERTY/PROPERTIES

Name of the owner(s) or mortgagor's	Jaya W/o Subramani
Location details of the property	SF No: 284/9, Old SF No: 284/1A, Chinnagoundanoor village, Sankagiri Taluk, Salem West registration district.
Measuring an extent	2017 Sq.feet, Tamil Nagar, Plot No: 39, House site property.
Name of the branch seeking legal opinion	Indian Overseas Bank, Padaiveedu Branch Kumarapalayam taluk, Namakkal Dt.
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,
Padaiveedu Branch,
Kumarapalayam taluk,
Namakkal DT.**

Sir,

Sub: Legal Opinion Regarding Marketability Of Title With Respect To The Properties Of The Present Owner **Jaya W/o Subramani** Situate In **Chinnagoundanoor village** In **SF No: 284/9**, Old SF No: 284/1A, Measuring An Extent Of 2017Sq.feet, Tamil Nagar, Plot No: 39, 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: 22.03.2022


Signature of the Advocate with Seal

**S A. SHANMUGHAM, M.A., B.L.,
ADVOCATE & NOTARY,
SALEM - NAMAKKAL
ERODE - (E.D.-TK) DIST.,
PALLIPALAYAM, ERODE - 638 008**

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Date: 22.03.2022

DESCRIPTION OF THE PROPERTY

1.	Name Of The Borrower/s			Jaya
2.	Name of his/her - father/ husband			Subramani
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)	2017 Sq.feet	SF No: 284/9, Old SF No: 284/1A	Chinnagoundanoor village, Sankagiri Taluk, Salem West registration district.	Plot No: 39
				East by Plot No: 40
				West by Plot No: 38
				North by 23feet width East West road
				South by Perumal gounder son Sengodan property
				North South on the East 69 feet
				North South on the West 65 ½ feet
				East West on the North 30 ½ feet
				East West on the South 29feet
Total Extent:			2017 Sq.feet	
The above description is as per the Sale Deed Executed and Registered infavour of Jaya W/o Subramani as Document No: 2488/2017 Dated: 28.12.2017 by S P Ravi S/o S M Palanisamy 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.	28.12.2017 2488/2017	Registered Sale Deed Executed infavour of Jaya W/o Subramani, by S P Ravi S/o S M Palanisamy at SRO Sankagiri	Original
2.	28.12.2017 2488/2017	Registered Sale Deed Executed infavour of Jaya W/o Subramani, by S P Ravi S/o S M Palanisamy at SRO Sankagiri	Certified Copy
3.	3757/2014 28.10.2014	Registered Sale Deed Executed infavour of S P Ravi S/o S M Palanisamy by S Sankar S/o K Chinnusamy as power agent to Sellammal and 7 others at SRO Sankagiri	Xerox
4.	420/2011 07.06.2011	Registered power of attorney deed Executed infavour of S Sankar S/o K Chinnusamy by Sellammal and 7 others	Xerox
5.	492/1977 20.06.1977	Registered partition deed among Nachimuthu Gounder and 7 others	Xerox
6.	18.03.2022	Patta No: 2079 for SF No: 284/9 – Chinnagoundanoor village	Online copy
7.	18.03.2022	FMB for SF No: 284 issued by VAO Chinnagoundanoor village	True copy
8.	18.03.2022	Adangal extract for SF NO: 284/9 issued by VAO Chinnagoundanoor village	True copy
9.	28.01.2022	Permission for construction with approved plan issued by President Chinnagoundanoor village and possession endorsement in the approved plan issued by VAO Chinnagoundanoor village	Original
10.	60514740 19.03.2022	EC for the period from 01.12.1992 to 17.03.2022 issued by SRO Sankagiri	Certified copy
11.	----	Aadhaar card in the name of Jaya W/o Subramani bearing No: 8869 7644 4671	Xerox
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 11 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 measuring an extent of 12.94Acre originally, ancestrally belonged to A Nachimuthu gounder, his son Loganathan, Nalla gounder, Pongiyagounder, Nalla gounder, Athayammal, Subramani, Ganesan, they are all cousins. They enjoyed the same in common without partition till 1977. Since they felt some inconvenience in their common enjoyment, in order to have independent and exclusive enjoyment, they joined together and decided to have partition.

Hence they partitioned their property by metes and bounds, grouped them into schedules as A, B, C to D, reduced them into writing and registered it as partition deed No: 492/1977 on 20.06.1977 at SRO Sankagiri. In the said partition "C" schedule properties were allotted to Sellammal W/o late Nalla gounder family.

In the course of enjoyment of the property late Nalla gounder family members namely, Sellammal, her daughter Kunjammal, Rajendhiran, Selvaraj, Nalla gounder, Murugesan, all joined together and decided to sell the above said C Schedule property in SF No: 284/1 at Chinnagoundanoor village in Sankagiri taluk bearing Patta No: 888, measuring an extent of 1.84acre with specific boundaries and measurements. Since they felt some inconvenience in canvassing purchasers, negotiating sale price, going to the registrar office to sign the document, all of them jointly appointed one power agent named as S Sankar S/o Chinnusamy to deal with the above said C Schedule property on their behalf. The said power of attorney deed has been registered as doc No: 420/2011 dated: 07.06.2011 at SRO Sankagiri.

In the course of dealing with the property, the above said power agent S Sankar S/o Chinnusamy has divided the same into house sites, serially numbers it, named it as "Tamil Nagar" and sold out house site No: 39 and 43 measuring an extent of 2017 sq.ft and 1380 sq.ft respectively, totally 3397sq.ft with specific boundaries and measurement for valid consideration to S P Ravi S/o S M Palanisamy through a registered sale deed No: 3757/2014 dated: 28.10.2014 at SRO Sankagiri and delivered possession on the same day.

In the course of enjoyment of the property, the above said S P Ravi S/o S M Palanisamy has sold out Plot No: 39 an extent of 2017 Sq.feet, with specific boundaries and measurements to the present borrower / owner Jaya W/o Subramani for valid consideration through a registered sale deed No: 2488/2017 dated: 28.12.2017, 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 sale, 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: 2079, Chinnagoundanoor village. Thus runs

the title history of the property.

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

FLOW OF TITLE:


The present owner / borrower **Jaya W/o Subramani** has become the absolute owner of the property by virtue of the registered Sale Deed NO: **2488/2017** dated: **28.12.2017** registered at SRO Sankagiri in her favor. She has acquired the property for valid consideration by virtue of Registered Sale Deed from S P Ravi S/o S M Palanisamy, who is the lawful owner of the property. Thus runs the flow of title. Now, she is having absolute, perfect, valid and readily marketable title in her favor for the property, offered as security.

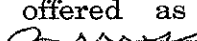
EVIDENCE OF POSSESSION

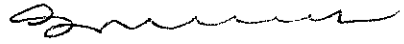
Joint Patta No: 2079, Adangal extract, possession endorsement issued by the respective authorities infavour of the present owner clearly shows that she is in actual possession, use occupation and enjoyment of the property offered as security.

ENCUMBRANCE

The encumbrance certificate covering from the period 01.12.1992 to 17.03.2022 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 Jaya W/o Subramani , Patta No: 2079
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	Vacant house site property. 

	as per the respective State practice verified?	
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	Yes, immovable property offered as 

	as security is properly demarcated	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 omission of any encumbrances in the EC.	
32.	I also certify that the said registered Sale Deed: 2488/2017 Dated: 28.12.2017 has been registered in the sub-registrar's office in the name of the owner Jaya W/o Subramani 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.	
<p style="text-align: center;">S A. SHANMUGHAM, M.A.,B.L. ADVOCATE & NOTARY, SALEM - NAMAKKAL ERODE - (E.D.-TK.) DIST., PALLIPALAYAM, ERODE - 638 008</p> <p>Place: Pallipalayam Date: 22.03.2022</p> <p style="text-align: right;"> Signature of the Advocate with Seal</p>		