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Date: 07.03.2019

LEGAL OPINION

List of Documents

1. 29.12.87 Photocopy of Sale deed, Doc.No.230/88
2. 12.04.89 Photocopy of Sale deed, Doc.No.1104/89
3. 27.11.87 Photocopy of Sale deed, Doc.No.2968/87
4. 12.04.89 Photocopy of Sale deed, Doc.No.1105/89
5. 14.03.14 Photocopy of N.O.C from Dpty. Collector, Revenue
6. 05.07.89 Photocopy of Power deed, Doc.No.767/89
7. 05.03.19 Notary affidavit
8. 13.02.14 Photocopy of Settlement Extract
9. 09.06.14 Encumbrance certificate

Schedule of properties

1. Puducherry R.D, Puducherry Sub R.D, Thavalakuppam Revenue Village, as per document **R.S.No.2/5**, at presently **R.S.No.2/5/A**, Patta No.501 total extent 01-73-00 HAC in out of which southern side to an **87 Ares 40 Cantiares** only. Boundaries: to the east of Cuddalore Road, to the west of the pathway of cremation, to the north of Srinivasan land, to the south of Anibal Kennedy land.
2. Puducherry R.D, Puducherry Sub R.D, Thavalakuppam Revenue Village, as per document **R.S.No.2/5**, at presently **R.S.No.2/5/A** Patta No.501 total extent 01-73-00 HAC in out of which northern side to an **85 Ares 60 Cantiares** only. Boundaries: to the south of Manoranjitham land, to the north of Anibal Joseph Nehru, to the west of path way of cremation, to the east of Cuddalore Road.

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ORIGIN OF THE TITLE

1. I have perused photocopy of registered Sale deed dated 29.12.1987, Doc.No.230/88. As per the Sale deed the above mentioned schedule 1st item property was originally purchased by **Saminada Marie Joseph Stanislas**, S/o Francois Saminada from Angeline Saminada. The Sale deed has been duly executed and registered.
2. Thereafter the above said **Saminada Marie Joseph Stanislas** has sold the above mentioned schedule 1st item property to and infavour of **Anibal Joseph Nehru**, S/o Anibal Victor the 1st applicant herein by virtue of registered Sale deed dated 12.04.1989, Doc.No.1104/1983. The Sale deed has been duly executed and registered.
3. I have perused photocopy of registered Sale deed dated 227.11.1987, Doc.No.2968/87. As per the Sale deed the above mentioned schedule 2nd item property was originally purchased by **Saminada Marie Joseph Stanislas**, S/o Francois Saminada from Angeline Saminada. The Sale deed has been duly executed and registered.
4. Thereafter the above said **Saminada Marie Joseph Stanislas** has sold the above mentioned schedule 2nd item property to and infavour of **Anibal Kennedy**, S/o Anibal Victor the 2nd applicant herein by virtue of registered Sale deed dated 12.04.1989, Doc.No.1105/1983. The Sale deed has been duly executed and registered.

Authentic

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5. I have perused No objection Certificate dated 14.03.2014 issued by Deputy Collector (Revenue) North to and infavour of the applicants 1. Anibal Kennedy and 2. Anibal Nehru. As per the certificate at presently R.S.No.2/5/A and R.S.No.2/5B Thavalakuppam Revenue Village total extent 01-73-00 HAC in out of which **00-42-20** HAC is covered under the Land Acquisition for purpose of Formation of ECR Road. **Hence the applicants are having valid title only the remaining extent 01-30-80 HAC.**

6. I have perused photocopy of registered power of attorney deed dated 05.07.1989, Doc.No.767/89. The Power of attorney deed executed by **Anibal Joseph Nehru**, S/o Anibal Victor to and infavour of **Anibal Kennedy**, S/o Anibal Victor as duly appointed his power agent. The power of attorney deed covered the above mentioned schedule 1st item property. The power agent having power to seeking permission on behalf of his Principal. The Principal person given affidavit dated 04.03.2019 and stated that the power of attorney deed has not been cancelled by him still in force.

7. I have peruse photocopy of Settlement Extract dated 13.02.2014 issued by Tahsildar, Puducherry. As per the records Thavalakuppam Revenue Village, R.S.No.2/5/A, Patta No.501 to an extent 01-30-80, HAC stands in the names of 1. Anibal Joseph Nehru, 2. Anibal Kennedy and 4 others.

8. I have perused photocopy of encumbrance certificate dated 09.06.2014, issued by Sub-Registrar, Puducherry. The certificate covered above mentioned schedule of property for period of 31 years from 01.01.84 to 19.05.2014. The certificates I have found four entries

Anibal Joseph Nehru

the above discussed documents. The property is free from encumbrances

OPINION: On perusals of the above said documents:

1. **Anibal Joseph Nehru**, S/o Anibal Victor having valid title of the above mentioned schedule of property 1st item property as per the registered sale deed dated 12.04.1989, Doc.No.1104/89 an extent as per document **87 Ares 40 Cantiares** in **R.S.No.2/5/A**.
2. **Anibal Kennedy**, S/o Anibal Victor having valid title of the he above mentioned schedule of property 2nd item property as per the registered sale deed dated 12.04.1989, Doc.No.1104/89 an extent as per document **85 Ares 60 Cantiares** in **R.S.No.2/5/A**.

From of the opinion the above said two items total extent **01 Hector 73 Ares** in out of which **42 Ares** covered under Land Acquisition proceedings as per the N.O.C certificate dated 14.03.2014 issued by the office of the Deputy Collector (Revenue), Government of Puducherry. Hence the applicants are having valid title only the remaining extent **01-30-80 HAC** in **R.S.No.2/5/A**, as per the registered sale deed dated 12.04.1989, Doc.No.1104/89 and the registered Sale deed dated 12.04.1989, Doc.No.1104/89.

PLACE: PUDUCHERRY

DATE : 07.03.2019

Anibal Kennedy

R. Soundarajan

ADVOCATE

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