

**R.SOUNDRARAJAN, B.A, B.L,**  
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No.20, 1<sup>st</sup> Cross St,  
Sivagami Nagar,  
Reddiarpalayam,  
Puducherry-10.

Date: 07.12.2020

To

The Member Secretary,  
Puducherry Planning Authority,  
Jawaharlal Nagar,  
Puducherry.

JTP (KA)

Puducherry Planning Authority	
RECEIPT No.....	7513
Date.....	7 DEC 2020

7/12/20  
JTP (KA)

With your reference letter dated 27.11.2020, No.6186/PPA/Z (MCP)Layout/Rul/2018 for legal opinion in respect of application submitted by **1. Thulasingham, 2. Janarthanan, 3. Jayakumar** rep.by power agents 1. Rajkumar, 2. Sakthivel seeking approval for regularization of residential unapproved Layout in the name and style of **Sivasakthi Nagar** at **R.S.No.34/2A, R.S.No.34/2/B**, Thiruvandarkoil Revenue Village, Mannadipet Commune Puducherry.

List of Documents

Part-I

1. 20.3.70 Photocopy of Partition deed, Doc.No.716/70
2. 21.03.90 Photocopy of Partition deed, Doc.No.208/90
3. 25.08.11 Photocopy of Power of attorney deed, Doc.No.137/11
4. 13.11.18 Photocopy of Settlement Extract
- 5 Photocopy of Encumbrance certificate

Part-II

1. 20.3.70 Photocopy of Partition deed, Doc.No.716/70
2. 22.12.05 Photocopy of Judgment in O.S.No.864/05
3. 22.06.11 Photocopy of Release deed, Doc.No.1484/11
4. 25.08.11 Photocopy of Power of attorney deed, Doc.No.138/11
5. Photocopy of Settlement Extract
6. Photocopy of Encumbrance certificate

Schedule of properties

Part-I

Puducherry R.D, Thirukkanur Sub R.D, Thiruvandarkoil Revenue Village, Village No.10, Kothapurinatham, as per the document Cad.No.136, **R.S.No.34/2** and as per the Revenue records Cad.No.136/1, **R.S.No.34/2/A**, Patta No.115 to an extent **48 Ares 66 Centiare** only.

*G. Ponnappa R. S. S.*  
*C. Sainvel*

*7/12/20*  
*RA*  
*Kumar*

Boundaries: To the east of R.S.No.43, to the west of R.S.No.34/2B, to the north and south of R.S.No.34/3B.

2. Puducherry R.D, Thirukkanur Sub R.D, Thiruvandarkoil Revenue Village, Village No.10, Kothapurinatham, Cad.No.136, **R.S.No.34/2/B**, Patta No.117 to an extent as per the document 83 Kuzhi 07 Veeram and as per the revenue records **52 Ares**. Boundaries: To the south of Canal, to the west and north of Parasuraman land, to the east of Kuppusamy land.

ORIGIN OF THE TITLE

Part-I

1. I have perused photocopy of registered Partition deed dated 20.03.1970, Doc.No.716/1970. The Partition deed made between **1. Kuppusamy** and **2. Jayaram** sons of Samikannu. The above mentioned Part-I schedule of property is covered the Partition deed in "A" schedule item No.4 which was allotted to **Kuppusamy**, S/o Samikannu. The Partition deed has been duly executed and registered.
2. I have perused photocopy of registered Partition deed dated 21.03.1990, Doc.No.208/1990. The Partition deed made between the above said **1. Kuppusamy**, S/o Samikannu and his sons **2. Rathinavelu**, **3. Thulasingham**. The above mentioned Part-I schedule of property is covered the Partition deed in "C" schedule item No.2 which was allotted to **Thulasingham**, S/o Kuppusamy. The Partition deed has been duly executed and registered.
3. I have perused photocopy of registered Power of attorney deed dated 25.08.2011, Doc.No.137/2011. The Power of attorney deed executed by the above said **Thulasingham**, S/o Kuppusamy and appointed **1. Rajkumar**, S/o Selvam, and **2. Sakthivel**, S/o Sennidurai as his power agents to act on behalf of him. As per the Power of attorney deed the power agents are having power to seeking permission of the above mentioned Part-I schedule of property on behalf of the Principal.

*S. Srinivasan*  
*C. Srinivasan*

*R. Srinivasan*

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4. I have perused photocopy of Settlement Extract Nos.2 dated 13.11.2018 issued by Tahsildar, Puducherry. As per the records Thiruvandarkoil Revenue Village, Village No.10, **R.S.No.34/2/A/3**, Patta No.115 to an extent **00-08-92** and **R.S.No.34/2/A/1** to an extent **00-40-85** HAC stands in the names of 1. Rathinavelu and Thulasingham sons of Kuppusamy.

5. I have perused photocopy of encumbrance certificate dated 17.08.2011 issued by Sub Registrar, Thirukkanur, Puducherry. The certificate covered the above mentioned Part-I schedule of property for period of 43 years from 09.01.1969 to 16.08.2011. The certificates I have found twelve entries the above discussed documents and the applicant has sold some plots to various persons.

Part-II

1. I have perused photocopy of registered Partition deed dated 20.03.1970, Doc.No.716/1970. The Partition deed made between **1. Kuppusamy** and **2. Jayaram** sons of Samikannu. The above mentioned Part-II schedule of property is covered the Partition deed in "B" schedule item No.4 which was allotted to **Kuppusamy**, S/o Samikannu. The Partition deed has been duly executed and registered.

2. I have perused photocopy of Declaratory Judgment and Decree dated 22.12.2005, in O.S.No.864/2005 passed by the II Additional District Munsif at Puducherry. As per the Judgement and Decree the above said Jayaraman died on 28.06.2001 leaving behind 1. Jayalakshmi, Janarthanan, 3. Santha, and 4. Jeyakumar are the are the legal heirs.

3. I have perused photocopy of registered Release deed dated 22.06.2011, Doc.No.1484/2011. As per the Release deed the above said **1. Jayalakshmi**, and **2. Santha @ Vasantha**, Daughters of Jayaram were duly relinquished their respective undivided shares of the above mentioned Part-

*S. Soundarajan*  
*C. Srinivasan*

II schedule of property to and infavour of **1. Janarthanan** and **Jeyakumar** sons of Jayaram. Hence they become absolute owners of the Part-II schedule of property.

4. I have perused photocopy of registered Power of attorney deed dated 25.08.2011, Doc.No.138/2011. The Power of attorney deed executed by the above said **1. Janarthanan** and **Jeyakumar** sons of Jayaram and they were duly appointed **1. Rajkumar**, S/o Selvam, and **2. Sakthivel**, S/o Sennidurai as their power agents to act on behalf of them. As per the Power of attorney deed the power agents are having power to seeking permission of the above mentioned Part-II schedule of property on behalf of the Principals.

5. I have perused photocopy of Settlement Extract dated 12.08.2011 issued by Tahsildar, Puducherry. As per the records Thiruvandarkoil Revenue Village, Village No.10, **R.S.No.34/2/B**, Patta No.117 to an extent **00-52-00** HAC stands in the Jayaram, S/o Samikannu.

6. I have perused photocopy of encumbrance certificates Nos.2 dated 17.08.2011 and 28.02.2018 issued by Sub Registrar, Thirukkanur, Puducherry. The certificate covered the above mentioned Part-II schedule of property for period of 51 years from 09.01.1969 to 27.02.2018. The certificates I have found three entries the above discussed documents.

OPINION: On perusals of the above said documents I am of the opinion:

Part-I

- Principal*
- Thulasingham**, S/o Kuppusamy having valid title of the above mentioned Part-I schedule of property as per the registered Partition deed dated 21.03.1990, Doc.No.208/1990 in "C" schedule item No.2 to an extent 52 Ares in out of which **48 Ares 66 Centiares** only in **R.S.No.34/2/A**.

*R. S. Senthil Kumar*  
*e. Sankar*

*R. S. Senthil Kumar*

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- P/A
2. As per the Power of attorney deed dated 25.08.2011, Doc.No.137/2011. The power agents **1. Rajkumar**, S/o Selvam, and **2. Sakthivel**, S/o Sennidurai having power to seeking permission of the above mentioned Part-I schedule of property to an extent **48 Ares 66 Centiare** **R.S.No.34/2/A** on behalf of the Principal.

Part-II

- Principal
1. **1. Janarthanan**, and **2. Jeyakumar** sons of Jayaram having inherited and valid title of the above mentioned Part-II schedule of property as per the registered Partition deed dated 20.03.1970, Doc.No.716/1970 in "B" schedule item No.11 and registered Release deed dated 22.06.2011, Doc.No.1484/2011 to an extent as per the document **83 Kuzhi 07 Veeram** and as per the Revenue records to an extent **52 Ares** in **R.S.No.34/2/B**.

- P/A
2. As per the Power of attorney deed dated 25.08.2011, Doc.No.138/2011 the Power agents **1. Rajkumar**, S/o Selvam, and **2. Sakthivel**, S/o Sennidurai having power to seeking permission of the above mentioned Part-II schedule of property only to an extent **37 Ares 32 Centiares** in **R.S.No.34/2/B** on behalf of his Principals **1. Janarthanan**, and **2. Jeyakumar**.

PLACE: PUDUCHERRY

DATE : 07.12.2020

R. Soundarajan  
 07/12/2020  
 ADVOCATE

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 ADVOCATE & NOTARY  
 No. 20, 1st Cross Street,  
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 Puducherry - 605 010

S. Jeyakumar  
 a. Sakthivel

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3732

8598

Legal opinion

