

C.S.No.76 of 2009
& O.A.No.923 of 2017
& O.A.No.278 of 2021

N.SESHASAYEE. J.,

The newly impleaded 10th defendant is the mortgagee of item no.7 and he seeks that item no.7 may be left out of partition.

2.It is made clear that the 10th defendant as the mortgagee of item no.7 is only entitled to realize the mortgaged money out of item no.7 but, not entitled to succeed to the same. The mortgagee cannot stop transfer of title but, can only have his security over the property preserved.

3.This Court is informed that the Advocate Commissioners have visited the property. However, there is no representation for the Commissioners.

4.Post the matter on 01.11.2021.

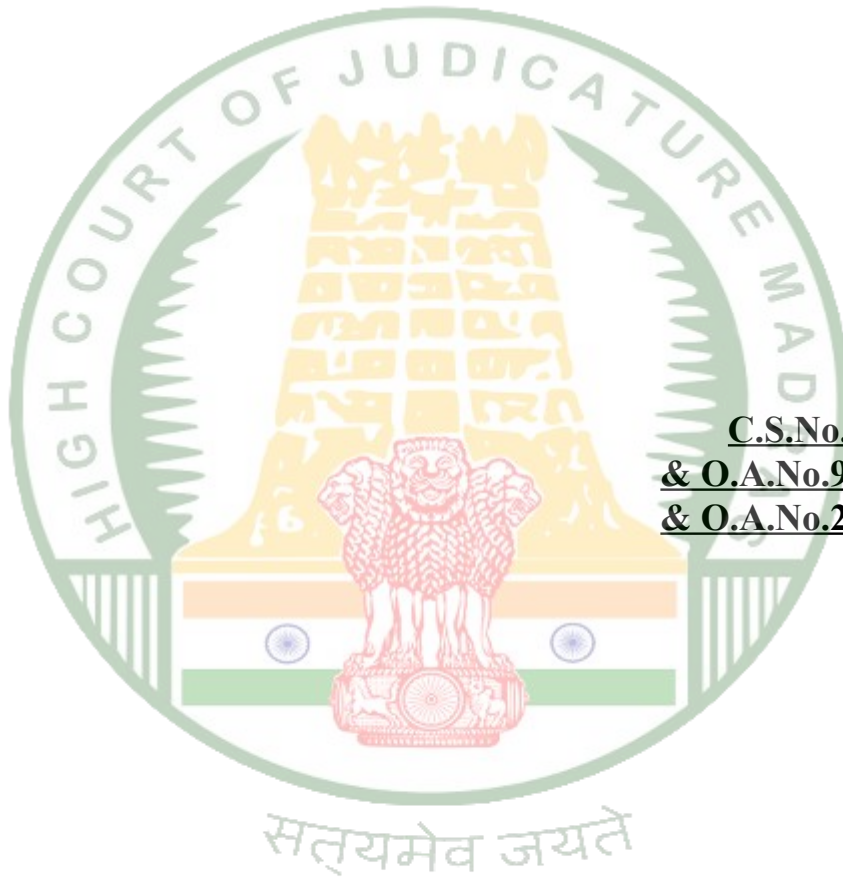
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