

HON'BLE SRI JUSTICE V.RAMASUBRAMANIAN

Second Appeal No.724 of 2017

Judgment:

The second appeal arises out of concurrent judgments granting a preliminary decree for partition.

2. Heard Mr. A.P. Venugopal, learned counsel for the appellants.

3. The total extent of property for which 7 sharers are fighting, is approximately 140 square yards. The Court below has held that each of the parties will be entitled to 1/7th share.

4. The appellants have come up with the above second appeal raising a question revolving around Sections 2 and 4 of the Partition Act. Since the extent of the property itself is small, it will be good if the parties raise this plea in the final decree proceedings so that a finality could be reached. I see no other substantial question of law. Therefore, leaving it open to the appellants to raise the contentions revolving around Sections 2 and 4 of the Partition Act in the final decree proceedings, the second appeal is dismissed. The miscellaneous petitions, if any, pending in this second appeal shall stand closed. No costs.

V.RAMASUBRAMANIAN, J.

28th July, 2017.
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